

[Mr. C. Ramasomayajulu] [26th November 1928]

these smaller divisions into one circle which is absolutely necessary for the furtherance of uniform and homogeneous work. It is therefore absolutely necessary that this grant should be made."

12-45
p.m.

The hon. Mr. M. R. SETURATNAM AYYAR :—"Sir, I am not going to withdraw. This grant is only to be spent on improvements to the late Head Works and Supply subdivision office building at Dowlaishweram to accommodate the office of the Superintending Engineer of the proposed Dowlaishweram Circle. It is proposed to include this circle in the next budget estimates and hon. Members of this House will have an opportunity of knowing more about this and in greater detail. The statistics furnished by the Chief Engineer will show that the grants have more than doubled from 29.56 lakhs in 1921-22 to 72.29 lakhs in 1928-29. Therefore urgent relief is required and so I request the House to pass this grant."

The hon. the PRESIDENT :—"I take it the House is ready for a vote. The question is 'Government be granted a further sum not exceeding Rupees 6,500 under Grant XXX.—Civil Works—Transferred.'"

The demand was put and carried and the grant made.

GRANT XXXIV—AGENCY TRACTS—RESERVED.

* The hon. Sir NORMAN MARJORIBANKS :—"Mr. President, Sir, I move on the recommendation of His Excellency the Governor

'that Government be granted a sum not exceeding Rs. 10,880 under Grant XXXIV—Agency Tracts—Reserved.'

"The purpose is explained in the note attached and circulated, and it is to provide for the reconstruction of the bridge at 81/1-2 on the Boud road in the Ganjam Agency."

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—"I second it."

* The hon. the PRESIDENT :—"I take it the House is ready for a vote. The question is 'Government be granted a sum not exceeding Rs. 10,880 under Grant XXXIV—Agency Tracts.'"

The demand was put to the House and carried and the grant made.

VII

A BILL TO AMEND THE MADRAS UNIVERSITY ACT, 1923.

* The hon. the PRESIDENT :—"The Council will now resume discussion on the Bill to amend the Madras University Act, 1923. The Council was discussing clause 15. Class III is for the discussion of the House."

* Mr. J. A. SALDANHA :—"Mr. President, Sir, I beg to move that the word 'twenty' be substituted for 'ten' and the word 'ten' for 'five' in Class III, item (2). My reason for the amendment is to provide compensation for the loss the affiliated colleges suffer in their representation in the Senate. In the original Act the number was twenty and we have now got it reduced to ten. As a matter of justice to the affiliated colleges I would urge we should have a representation of twenty in the Senate; and proportionately

26th November 1928]

also it must be provided that at least ten shall be teachers of affiliated colleges. And hon. Members will remember that an assurance was given that compensation will be provided for. I may say the hon. the Minister also said like that."

* Mr. S. SATYAMURTI:—"Sir, I second it and in doing so I would commend this to the hon. the Minister. I want to point out that the result of the amendment is that we are exactly where we were under the earlier Act. Now we have instead of 'ten members elected by the Academic Council and ten members elected by the Council of Affiliated Colleges', 'twenty members elected by the Academic Council from among its own body of whom ten shall be teachers of affiliated colleges' which means that it may be exactly what it was, ten from the Academic Council and ten from the Council of Affiliated Colleges. In order to carry out the real intention and to see that the representation of the mufassal is adequately dealt with I suggested that at least ten shall be from the teachers of affiliated colleges. Therefore I suggest to the hon. the Minister to agree to the amendment."

* The hon. Dr. P. SUBBARAYAN:—"One of the main principles of the amending Bill which was introduced into this House was the reduction of the number of members of the Senate. But the Select Committee did not accept this suggestion and in view of what has fallen from Mr. Saldanha and Mr. Satyamurti, I will not object to this amendment and will therefore accept it."

The amendment was put and carried.

* Mr. K. R. VENKATARAMA AYYAR:—"Sir, in item (3) under class III, I move that in line 1, after the word 'the' the word 'elected' be inserted and in line 3, for the word 'themselves' the words 'the non-official members thereof' be substituted. The effect of this amendment would be that twelve members to be elected by this Legislative Council would be elected as now from amongst the non-official members of this Council. That portion will remain unchanged. But so far as the franchise is concerned the result of the amendment would be that the franchise would be confined to the elected non-official members of this Council. I think that it is no wrong argument to say in support of this intelligible amendment, that it is but right that the franchise should be confined to the elected members of this Council as otherwise it would be giving the franchise to be exercised by those to whom the nominated non-official members generally look for guidance, if not for a mandate. For that reason I would ask that the franchise be confined to the elected members of this Council, though nominated non-official members may also stand for election from this House to the Senate."

Mr. T. C. SRINIVASA AYYANGAR:—I second it.

* The hon. Dr. P. SUBBARAYAN:—"I am not going to waste the time of the House by replying to my friend elaborately, because I am not in a position to accept his amendment for the simple reason that it would detrimentally affect the interests of a whole class or classes and more especially the depressed classes. By the amendment now proposed to be adopted they would gain very little and if the House is to adopt the amendment of Mr. Venkatarama Ayyar, there will not be any chance for a member of the community to come in by election."

The amendment was put and negatived.

[26th November 1928]

Item (7).

* Mr. C. GOPALA MENON :—"Sir, I beg to move that the following be substituted for item (7):—

'Two members elected by the Madras Chamber of Commerce and two members elected by the Southern India Chamber of Commerce.'

"The original idea with which this amending Bill was conceived was to reduce the strength of the Senate and when that object was not achieved and if it is not possible to do so if all interests should be represented on the Senate there should have been no objection to allot two seats in the Senate for each of these institutions. Further when two seats are allotted to the Muhammadan Educational Association and two seats for the Madras Landholders' Association, four seats to the Madras Corporation and thirty seats to the District Boards I do not see why the hon. the Minister should not find his way for the retention of two seats which these chambers have under the Act. I may point out that the Madras Chamber is an old institution and has mobilized the trade of the Presidency, and the other has a twenty years' standing. I therefore hope that the hon. Minister and the House will accept my amendment."

* Mr. C. V. VENKATARAMANA AYYANGAR :—"I have great pleasure in seconding this. We find that the number of members has not been reduced very much in any case and so I do not see any reason why these two chambers should suffer."

1 p.m.

"It is very desirable that the representation of the commercial interest—though the Government may not accept an increase in the original number as laid down in the Act—should be maintained at least at its original level. The original Act contained two members from each of the two Chambers of Commerce. We know that both the Chambers of Commerce in Madras are very influential and consist of several influential members residing not only in Madras but residing throughout the Presidency. It is therefore very necessary, Sir, that this mild amendment should be accepted by the Government, and I am sure, instead of showing any partiality one way or the other, the hon. the Minister will be consistent and accept this amendment also."

The hon. Dr. P. SUBBARAYAN :—"In view of what has fallen from my hon. Friends Mr. Gopala Menon and Mr. Venkataramana Ayyangar, I have no objection to accept this amendment."

The amendment was put and carried.

Item (8).

* The KUMARA RAJA OF VENKATAGIRI :—"Mr. President, Sir, I beg to move the following amendment which stands in my name :—

'In item (8) for the words 'the voters of the Madras Landholders Constituency of the Legislative Assembly resident within the jurisdiction of the University', substitute the words 'the Madras Landholders' Association.'

"In moving this amendment I wish to be as brief as I can. Under the present Act the Madras Landholders' Association possesses the privilege of sending in two representatives of itself and members of the association take it as a recognition of the humble services rendered by the community in the cause of learning. And I may also state, Sir, that most of those who have contributed their humble mite towards the advancement of education belong

26th November 1928] [Kumara Raja of Venkatagiri]

to the Madras Landholders' Association. As such they feel that only the association can send in competent representatives. There seems to be an impression that my amendment seeks to narrow the constituency. Though my amendment will have the effect of narrowing down the electorate since the sphere of selection is unlimited, it is, I submit, an advantage over what is contemplated in the Bill, since only the members of Madras Landholders constituency for the Assembly have to represent the landholders on the Senate. It is for these reasons, Sir, that we feel that it is an unmerited deprivation which the Bill contemplates. For these reasons, I request the House to support my amendment."

MR. B. RAMACHANDRA REDDI :—" Sir, I beg to second this amendment. After all the amendment seeks to retain the status quo. It does not make any drastic changes in the existing Act. But on the other hand it wants that the Madras Landholders' Association should be treated in the same manner as the other institutions, namely, the Educational Association of Southern India and the two Chambers of Commerce, have been treated. As has already been pointed out very lucidly by my hon. Friend the Kumara Raja of Venkatagiri, this amendment is not brought forward with any intention of narrowing down the electorate, but it is only to show that the representation might be made more effective and also to satisfy the aspirations of the community of landholders who have contributed a good deal towards the progress of education in Southern India."

The hon. Dr. P. SUBBARAYAN :—" Sir, there is one difficulty that I should like to point out to my hon. Friend who moved this amendment, and that is, the Andhra University having now come into existence, one of the objects of the Select Committee when this amendment was put in was that the voters for the Landholders constituency should come from within the jurisdiction of the University of Madras. If this amendment is carried, the result would be that all members of the Landholders Association who may live within the jurisdiction of the University of Madras and others who may be outside the jurisdiction of the University of Madras will get the right of voting for the representatives of the landholders on that University. That is the difficulty that presents itself to my mind and I would like to know what my hon. Friends who proposed this amendment and seconded it have got to say to this, before I make up my mind whether to accept the amendment or oppose it."

* Rao Bahadur Sir A. P. PATRO :—" Sir, the difficulty pointed out is not very important because in the case of the South Indian Chamber of Commerce and in the case of the Madras Chamber of Commerce the members (voters) are spread all over the Presidency. That is also the case with regard to the Legislative Council. The privilege of election in these cases was not due to any territorial jurisdiction. I do not know how the hon. Member would reconcile this difficulty. At least it is apparent to every one who looks at it squarely, it is not at all a difficulty, in view of the representation we have in other corporate bodies. Moreover it will be quite consistent to allow this amendment because in the case of the Madras Chamber of Commerce and the South India Chamber of Commerce they allowed it. And I do not see any difficulty should occur in regard to the Madras Landholders' Association, which is the premier association in this province and is also a very ancient one. Such an institution should not be left out in this matter. Therefore this difficulty is not one which stands in the way of the hon. the Minister."

The hon. Dr. P. Subbarayan rose to speak.

[26th November 1928]

* The hon. the PRESIDENT :—"The hon. Member has no right of a second speech."

Mr. A. KALESWARA RAO :—"Sir, I also support the amendment. After all, there is no real difficulty in accepting this amendment. The Madras Landholders' Association has been a long-standing body and has been a very respectable one. The landholders and particularly the premier zamindars of the Telugu country also have been helping education very much. Therefore there is no necessity for changing the constituency in the existing Act."

The hon. Mr. M. R. SETURATNAM AYYAR :—"In view of what the hon. Members have stated, the Government have no objection to accept this amendment, Sir."

The amendment was put and carried.

Item (9).

* Mr. K. UPPI SAHIB :—"Mr. President, Sir, I move—

'in item (9) that the words "two Muhammadan members elected by registered graduates" be substituted for the words "two members elected by the Muhammadan Educational Association of Southern India."'

"My reason for moving this amendment is that the South Indian Muhammadan Educational Association is almost a private body and I appeal to the members of at least this part of the House not to introduce separate electorates at least in the Senate. This electorate will be a separate electorate of purely a Muhammadan body. Moreover, that body is an entirely official-ridden body. Any man who pays 4 annas can become a member, and anybody who has got money can enrol 400 members and get himself elected to the Senate. When we are asking for progress and when we are agitating and are coming to terms on the question of not having separate electorates, the Government is going to introduce separate electorates in a body which of all bodies should not have separate electorates, as it is purely an educational body. Therefore I appeal to the Government and my friends on both sides of the House to accept my amendment in this matter."

Mr. ABDUL HAMID KHAN :—"Mr. President, Sir, I have great pleasure in seconding the amendment that has been moved by my hon. Friend Mr. Uppi Sahib. I have to say one or two words in support of this amendment. Although I belong to the association, yet, in view of the fact that this Bill introduces the principle of separate electorates in an institution where we did not expect it, I support this amendment. Further, Sir, I must point out that it is a wrong policy to give representation to such small organizations which can be controlled by one person or another. To-day they may be controlled by an official and to-morrow they may be controlled by a rich non-official. Really the object of representation is lost and frustrated by giving such important representation as this Bill seeks to give to a small body of members who can be swayed easily by either a highly placed official or by a very rich non-official. I have no fear of contradiction when I say that at present the Muhammadan Educational Association is practically an official body. Not only is it an official body, but it is also a body which is more or less conducted or directed by C.I.D. Mussalmans in the city. The last elections show that if anybody was in the good books of the C.I.D. it was possible for him to get elected to the executive committee. If he was not in the good books of the

26th November 1928] [Mr. Abdul Hamid Khan]

C. I. D. he was excluded from the membership of the executive committee. When such are the dangers that can always be there in a small organization like the Muhammadan Educational Association of Southern India, I have no doubt that the members of this Council will see that representation is not given to such a body where the very object of representation will be frustrated."

MR. MAHMUD SCHAMNAD SAHIB :—"I have no objection if two members are to be elected by the registered graduates of the Madras University by the Senate but I object to the remark that the two members which the Select Committee has recommended to be returned by the Educational Association of Southern India should be deleted and these two members should be put in their place."

* The hon. the PRESIDENT :—"The hon. Member is requested to speak on this amendment."

* MR. MAHMUD SCHAMNAD SAHIB :—"They say that the Muhammadan Educational Association is a small body and should not be given representation. When the Annamalai University Bill was before the House, these members could not see their way to oppose such small sanghams as the Sanskrit Association and the Tamil Sangham being given representation. But now that this Madras University Bill is before the House, they say it is a small association and should not be given representation. This is of course a well-organized and registered body with large membership. Now what I say is that the two members proposed to be returned by the registered graduates should not be in the place of those to be returned by the Educational Association."

MR. DANIEL THOMAS :—"Mr. President, Sir, I am in entire support of my Friend Mr. Uppi Sahib. But one point is not clear, whether the two members are to be elected by the Muhammadan registered graduates or by all the graduates. (Voices: By all the graduates.)"

The hon. Dr. P. SUBBARAYAN :—"I regret very much that I am not in a position to accept the amendment, because when the Select Committee considered this, somebody said that it should be by the registered graduates. After a careful consideration, the Select Committee thought that it should be by the Muhammadan Educational Association, as it represents the Islamic culture and if Muhammadans be on the University Senate they would represent that culture. So it seems best that the Muhammadan Educational Association, which I am told is composed of members other than Mussalmans, be given representation. This is not really giving communal representation and they may be allowed to elect such members. So I oppose the amendment."

* MR. S. SATYAMURTI :—"I regret very much the hon. the Minister has seen fit to oppose this amendment. I myself would have preferred no reservation of seats for any community on any elective body, and seeing things around us, the only way in which we can allay communal fears and suspicions will be to accept the principle of joint electorates with reservation of seats for minority communities, if they desire it. My hon. Friend from Malabar has given notice of this amendment bearing that principle in mind. You get at any rate two Mussalmans represented on the Senate. It gives them a wider electorate, and there will be two Mussalmans who will represent, not the community, or any section of the community, but the whole of the registered

[Mr. S. Satayamurti]

[26th November 1928]

graduates. That will give them a standing. I entirely agree with my hon. Friend that representation of special cultures is far preferable to representation of special communities. We have no information as to what this Muhammadan Educational Association of Southern India is. The Mussalman Member for Madras said that the Association is not Muslim. I do not believe any Mussalman will prefer to call himself a Muhammadan. The word is an Anglo-Indian manufacture. It should be Mussalman. But that is neither here nor there. Who are the leading spirits of this Association? My Friend, Mr. Hamid Khan, has made a serious allegation, that it is run by the members of the C.I.D. and the Muhammadans of the City Police. He may be correct or incorrect. But so far, the Government have not ventured to contradict that statement. I do not see why such associations should be given the right of representation on communal basis. Moreover, I was surprised to see that my hon. Friend from South Kanara, speaking from his temporary seat on the Treasury Bench, had succumbed to the ministerial influence, and after having risen to support the amendment ultimately ended by opposing it. Now the Muhammadan Educational Association will not give the same representation to the Mussalman voters, whether Mussalmans or non-Mussalmans, as the registered graduates will give. The registered graduates are spread all over the province, from Ganjam in the north to Tinnevely in the south, from Madras in the east to South Kanara in the west. They number roughly about 5,000 and they will send their representatives, two of whom shall be Mussalmans. In those circumstances, and from every relevant point of view, I trust this amendment will be accepted by this House, as giving these people a representation which they deserve and require, without putting it on a communal basis. I may be permitted to add that, in Sir A. P. Patro's Act, there was absolutely no communal representation whatever as suggested. District boards were represented, municipalities were represented and other associations were represented. They were interests or cultures. There was no such association as Muhammadan Association represented. It is for the first time we hear of this expression. I trust, therefore, all parties in the House will accept the amendment without compromising the principle for which we all stand, namely, communal justice."

* Rao Bahadur Sir A. P. PATRO :—"Sir, while I agree with the spirit of the remarks of the hon. Member representing the University, I think his observations in regard to the Muhammadan Educational Association are quite beside the point. It is a pity that the hon. Member representing the University for so many years has not yet been able to understand the aims and objects of this Association or as to how long it has been in existence or what work it has been doing. It is the one association that is endeavouring to promote the Muslim culture, and situated at Madras, it is extending its influence all over the districts. It is a centre of Muslim culture, and encourages study of various subjects.

"Then as regards the Muslim member who said that it is influenced by Government officials or the C.I.D. people, I do not know how he was justified in making these observations. If he could quote any instance or concrete fact in support of what he says, then we can be satisfied. It may be an institution in which people of certain persuasions only may be admitted; there may be some unpleasant relations among its members, but on that ground to say that the institution is controlled by the C.I.D. or influenced by the Government

26th November 1928]

[Sir A. P. Patro]

officials, is wrong. This institution is a centre of Islamic culture radiating its influence throughout the province. So far as we know this institution has been doing very useful work on the literary and cultural side. Again I am not able to agree with the Member for University about communal representation. Politics should be outside academic bodies. This is not a political body; it is purely an academic body. If any representation is sought to be given it is purely on cultural grounds. When we gave representation to such institutions as the Andhra academy or the Tamil academy, it was because they represented a particular culture. As regards Mussalman representation, there was a heated debate on this question. After all we are agreed, because it represents a particular culture in Southern India, representation is absolutely necessary. I do not think that any case has been made out by either the mover or the supporter against the representation of this institution."

The amendment was put and negatived.

Item (10).

Mr. S. ARPUDASWAMI UDAYAR :—" I move—

'for the words "nor amounting" substitute the words "but not amounting to."'

"Sir, this is merely a verbal amendment, and I think it serves to make the sense clearer. I think the House will accept it."

Mr. J. A. DAVIS :—" I second it."

The hon. Dr. P. SUBBARAYAN :—" As these words do not make any difference to the Bill, I have no objection to accept the amendment."

The amendment was put and adopted.

Item (11).

The hon. Dr. P. SUBBARAYAN :—" I move—

'In line 3 for the word "and" substitute the word "or".'

"Sir, this is merely a verbal amendment and does not make much difference. I think this will improve the drafting."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

* Mr. S. SATYAMURTI :—" I do not know exactly what my hon. Friend the Minister meant by saying it is only a verbal amendment. Sometimes, in statutes, I know, 'or' means 'and.' If it is used in that sense, namely, that he would secure the representation of both depressed and backward classes I have no objection, in which case I prefer 'and' to 'or.' Unfortunately, there are two such classes in this country. There are some people who cannot come under 'depressed classes' but all the same they are people who are backward educationally, socially and economically; and in order to give them representation the word 'and' is put there. I do not know if the hon. Minister insists on this amendment. I would suggest to him to leave the word as it is."

Mr. DANIEL THOMAS :—" Sir, I am also afraid that this amendment will lead to dangerous consequences. The word 'or' has a distinctive meaning. If the amendment means nominations either from depressed and backward

[Mr. Daniel Thomas]

[26th November 1928]

classes or as an alternative from other minority communities not adequately represented, I think that is not the intention of the hon. Minister. I therefore prefer that the word should remain as it is."

The hon. Dr. P. SUBBARAYAN :—" I beg to withdraw the amendment."

The amendment was by leave withdrawn.

Mr. S. ARPUDASWAMI UDAYAR :—" Mr. President, Sir, I beg to move—

'that in line 4, after the word "classes" a comma be inserted and the words "Indian Christian" added.'

"My reason for moving this amendment is that in all Acts an important position is assigned to Indian Christians. Here I find that mention is made of the depressed classes, the backward classes, etc., but the Indian Christians have been omitted. I do not see why that omission should be a feature of this particular Act. Therefore, Sir, for the sake of uniformity and considering the importance of the position of Indian Christians, I suggest that my amendment be accepted. This is a minority community and deserves a place."

Mr. DANIEL THOMAS :—" I second it."

The hon. Dr. P. SUBBARAYAN :—" Mr. President, Sir, I am sorry I am not in a position to accept this amendment of my hon. Friend. The Indian Christian community is well represented on the Syndicate, on the Senate, on the Academic Council and even on the Council of Affiliated Colleges. Just as the Brahmin community, the Indian Christian community is the most highly educated community in the province. I do not think therefore that the Indian Christian community is a minority community which needs protection under this section."

The amendment was by leave withdrawn.

The House then adjourned for lunch.

After Lunch (2-30 p.m.)

Item (12).

* The hon. the PRESIDENT :—" Mr. S. Satyamurti will move his amendment."

Mr. S. SATYAMURTI :—" Mine is a new amendment, Sir."

The hon. the PRESIDENT :—" Then I must ascertain the wishes of the House. The hon. Member has given notice of an amendment this morning to substitute the word 'Indian' for the word 'vernacular.' Has the hon. Member leave of the House to move it? (After a pause.) Since no objection is raised, the hon. Member has leave of the House to move the amendment."

* Mr. S. SATYAMURTI :—" Sir, I move—

that for the word "vernacular" the word "Indian" be substituted.'

"In one sense this amendment is a verbal amendment, and in another sense it is a substantial amendment. It is a verbal amendment because the word 'vernacular' and the word 'Indian' both mean the same thing and the word 'Indian' will cover both. It is a substantial amendment also because it seeks to delete the word 'vernacular.' Vernacular means the tongue of slaves. I do not think we ought to insult our languages by calling them 'vernacular,'

26th November 1928]

[Mr. S. Satyamurti]

or tongues of slaves. Of course the answer of the Englishman would be, 'My vernacular is English.' But he never uses the word 'vernacular' in connexion with his mother-tongue. This Council has accepted the principle behind my amendment; for, in the Andhra University Act, the word 'vernacular', which found a place, was deleted by this Council at my instance and the word 'Indian' was substituted. My hon. Friend the Minister might say that there would be difficulty in accepting my amendment, because Sanskrit may be included. But I think that that difficulty will not be felt in working the Act. Because, this word finds a place only in describing the kind of people to be appointed to the Senate by the Chancellor. Therefore what languages should be represented there will depend upon the advice which the Minister and the Vice-Chancellor give to the Governor. In these circumstances I do not see any practical difficulty in accepting this amendment. I therefore commend this to the House and expect the hon. Minister to accept the same."

MR. C. V. VENKATARAMANA AYYANGAR :—"I second it."

* The hon. the PRESIDENT :—"The amendment before the House is to substitute the word 'Indian' for the word 'vernacular'."

The hon. Dr. P. SUBBARAYAN :—"I have no objection to accept the amendment."

*The amendment was put and carried.

Item (13).

MR. ABDUL HAMID KHAN :—"Sir, I move to add the following as new item (13):—

'(13) *Two members, elected by the Andhra Chamber of Commerce, Madras.*'

"Mr. President, in moving this amendment I do not think I need say much because it is obvious that the policy of the Government ought to be, if it has not been so till now, to see that on the Senate representation is given to institutions which take interest in commercial and industrial matters. This institution is one of that kind. The Andhra Chamber of Commerce has been started and has been carrying on useful work in the direction of developing the trade and industry of the Andhradesa. The hon. Minister might argue that the Andhra University might look after the Andhra commercial interests. But I am afraid that argument cannot hold good because there are representatives of Andhras and Andhra institutions on the Senate from other bodies. Therefore that argument cannot be raised at all. I hope this amendment will be accepted by the hon. Minister, if not by the whole House."

* Mr. G. HARISARVOTTAMA RAO :—"Mr. President, I have very great pleasure in seconding this amendment. It is quite possible that my friends from the Tamil districts feel that there is the Andhra University and the Andhra Chamber of Commerce might as well apply to the Andhra University for recognition. But one thing I must say and that is this. We are not yet

[Mr. G. Harisarovottama Rao] [26th November 1928]

driven out of the metropolis of the Presidency. We have a place in Madras and some of us hope that even when the Andhra province becomes a reality we shall get a portion of Madras into our province. I quite agree that the Andhra Chamber of Commerce is a recent creation. It is a little more recent than the South Indian Chamber of Commerce. If you take the history of Chambers of Commerce that have developed in the country, you will see that the Madras Chamber of Commerce is also one of comparatively recent growth. Therefore, to say that because the Andhra Chamber of Commerce came into being only recently it does not require representation, appears to be not a very proper position to take. I feel that the Andhras are a very strong element in Madras. They have had a great deal to do with this province and they have yet a great deal more to do in this province along with their brethren the Tamils, the Karnatakas and the Malayalis, etc., in shaping the Madras University. Also many of us have been the alumni of this University. Many of us are on the registered list of graduates of this University. Therefore it is but right that our institution which claims to represent the Andhra commercial interests should be recognized and given the same representation as the other Indian Chambers of Commerce."

The hon. Dr. P. SUBBARAYAN :—" Mr. President, Sir, I regret very much that I cannot accept this amendment, because I think the Andhra gentlemen are also represented on the South Indian Chamber of Commerce as explained by Sir A. P. Patro when he supported the resolution to give representation to the Madras Landholders' Association. Further, the House has accepted the amendment of Mr. Gopala Menon to give two representatives to the Indian Chamber of Commerce. Under the circumstances I do not think there is any necessity to accept this amendment."

* Mr. C. RAMASOMAYAJULU :—" For the information of the House I may say that in the list of the committee members of the Andhra Chamber of Commerce I find that 10 members out of 20 belong to the City of Madras. I may also state that among the student population resident in Madras really 40 per cent are Andhras and among the mercantile population nearly 40 per cent are Andhras and in certain colleges there are many Andhras. In the matter of education, Sir, I may say that the contribution of the Andhras to the Madras University is not insignificant. In view of these facts and in view of the further fact that this Andhra Chamber of Commerce has been inaugurated under very powerful and inspiring auspices and is going to show some substantial work, I submit that the Government might view this proposal with favour. Further, the Andhra University has not yet begun to function in right earnest and this is an additional reason in favour of the acceptance of this amendment. Again, Sir, in view of the abiding interest which the Andhras have taken in the capital of the province—for a long time to come they are bound to take a keen interest in it as it is not likely that the Andhra province will be established with a capital of its own in the near future from what we see of the attitude of the Government in this matter—and in view of the relations existing between the Andhras and the rest of the population of this province, a strong case has been made out for stretching a point in favour of the Andhra Chamber of Commerce. I hope the Minister will accept this amendment."

The amendment was put and declared lost.

26th November 1928]

Mr. G. Harisarvottama Rao demanded a poll, and the House divided thus :

Ayes.

1. Mr. J. Kuppuswami.
2. " G. R. Premayya.
3. " V. Ramjee Rao.
4. " Sami Venkatachalam Chetti.
5. " P. Anjaneyulu.
6. " P. C. Venkatapathi Raju.
7. " Abdul Hamid Khan.
8. " C. S. Govindaraja Mudaliyar.
9. " G. Harisarvottama Rao.
10. " C. M. Muthuranga Mudaliyar.
11. " K. V. R. Swami.
12. " O. Narayana Raju.
13. Dr. B. S. Mallayya.
14. Mr. K. R. Karant.

15. Mr. M. Narayana Rao.
16. " C. Obi Reddi.
17. " A. Parasurama Rao.
18. " C. Ramasomayajulu.
19. " P. Bhaktavatsulu Nayudu.
20. " A. Kaleswara Rao.
21. " R. Srinivasa Ayyangar.
22. " K. Madhavan Nayar.
23. " C. Venkatarangam Nayudu.
24. " B. Venkataratnam.
25. " K. S. Sivasubramania Ayyar.
26. " C. Gopala Menon.
27. " A. V. Bhanoji Rao.

Noes.

1. The hon. Sir Norman Macjoribanks.
2. " Khan Bahadur Sir Muhammad Usman Sahib Bahadur.
3. " Mr. T. E. Moir.
4. " Diwan Bahadur M. Krishnan Nayar.
5. " Mr. M. R. Seturatnam Ayyar.
6. " Mr. S. Muthiah Mudaliyar.
7. " Dr. P. Subbarayan.
8. Khan Bahadur Muhammad Bazl-ul-lah Sahib Bahadur.
9. Mr. H. A. Watson.
10. " C. A. Souther.
11. " S. H. Slater.
12. " A. McG. C. Tampee.
13. " C. W. E. Cotton.
14. " V. Ch. John.
15. " M. A. Manikkavelu Nayakar.
16. " H. B. Ari Gowder.
17. " A. B. Shetty.

18. Mr. R. Foulkes.
19. Mahmud Schamnad Sahib Bahadur.
20. Mr. K. Krishnan.
21. " N. Siva Raj.
22. " M. V. Gangadhara Siva.
23. " V. I. Maniswami Pillai.
24. " W. P. A. Soundarapandia Nadar.
25. " Daniel Thomas.
26. The Zamindar of Singampatti.
27. Rao Sahib R. Srinivasan.
28. Mr. W. E. Smith.
29. " R. J. C. Robertson.
30. Rajkumar S. N. Dorai Raja.
31. Mr. S. Arpudawami Udayar.
32. " K. Ramachandra Padayachi.
33. " F. E. Corley.
34. " L. K. Tulasiram.
35. " K. R. Venkatrama Ayyar.
36. " K. P. Raman Menon.

Neutral.

1. Mr. J. Bheemayya.
2. " P. J. Gnanavaram Pillai.
11. " S. Venkiah.
4. " S. Satyamurti.
5. " C. V. Venkataramana Ayyangar.
6. " T. Adinarayana Chettiyar.
7. " J. A. Saldanha.
8. " C. Marudavayam Pillai.
9. Rao Bahadur C. S. Ratnasabapathi Mudaliyar.

10. The Raja of Panagal.
11. Rao Bahadur Sir A. P. Patro.
12. Rao Bahadur S. Ellappa Chettiyar.
13. Khan Bahadur S. K. Abdul Razack Sahib Bahadur.
14. Khadir Mohideen Sahib Bahadur.
15. Diwan Bahadur S. Kumaraswami Reddiyar.
16. Rao Bahadur K. Sitarama Reddi.

Ayes 27. Noes 36. Neutral 16.

The amendment was lost.

Clause 15—Sub-clause (b)—First proviso.

* Mr. K. R. VENKATARAMA AYYAR :—"I beg to move the motion that 2-45 p.m.
stands in my name and runs thus :

'In line 4, after the word "unless" insert the word "meanwhile".'

"The proviso as it is reads 'provided however that no member elected in his capacity as a member of a particular body shall hold office for a longer period than three months after he has ceased to be such a member unless he

[Mr. K. R. Venkatarama Ayyar]

[26th November 1928]

again becomes member of that body.' I think the intention of the framers of this proviso will be far more satisfactorily carried out by the introduction of the word 'meanwhile' which I seek to introduce in it. The real idea is if a person is elected by reason of his being a member of a parent body and afterwards ceases to be a member of the parent body, he cannot retain the benefit of the election for more than three months beyond such cessation unless meanwhile he again becomes a member of the parent body. Therefore the idea will be brought out clearly by the introduction of the word 'meanwhile'. Hence this amendment."

MR. C. GOPALA MENON :—"I second it."

The amendment was put to the House and carried.

Second proviso.

* MR. K. R. VENKATARAMA AYYAR :—"I beg to move '*that the word "and" at the end of second proviso be omitted.*' Perhaps, Sir, you will allow me to move amendment No. 25 also, together with this amendment because they go together. In view of the amendment which I wish to move under 25, I am asking for the deletion of the word 'and'. I think as a matter of drafting the last sentence in the second proviso does not read well. In order to make the meaning clear I want to move amendment No. 25 which reads '*For the words "On ceasing," in sub-clause (c) substitute the words "When a person ceases"*'. As it is, the second proviso reads like this : 'Provided also that where an elected or nominated member of the Senate is appointed temporarily to any of the offices by virtue of which he is entitled to be a member of the Senate, he shall, by notice in writing signed by him to the Vice-Chancellor within seven days from the date of his taking charge of his appointment, choose whether he will continue to be a member of the Senate by virtue of his previous election or nomination or whether he will vacate office as such member and become a member ex officio by virtue of his appointment and the choice shall be conclusive. On failure to make such choice he shall be deemed to have vacated his office as an elected or nominated member.' Now taking this second proviso as it now stands it provides for a nominated or elected member becoming ex officio a member of the Senate by reason of his appointment to an office which entitles him to an ex officio membership of the Senate. Then the question arises whether he chooses to be such ex officio member or continues to be a member of the Senate by virtue of election or appointment as a member of the Senate. It is open to him to make a choice and if he does not make the choice his status as an elected or nominated member of the Senate goes. Then clause (c) provides 'On ceasing to be a member of the Senate under the preceding sub-section he shall cease to be a member of any of the University authorities of which he may happen to be a member by virtue of his membership of the Senate.' I think the meaning will be brought out more clearly by leaving the second proviso of clause (b) as it is and not tacking it on to clause (c) by having the word 'and' at the end of the second proviso. Instead of beginning clause (c) with the words 'On ceasing' if you begin the clause with the words 'When a person ceases' then it will read thus : 'When a person ceases to be a member of the Senate under the preceding sub-section he shall cease to be a member of any of the University

26th November 1928] [Mr. K. R. Venkatarama Ayyar]

authorities of which he may happen to be a member by virtue of his membership of the Senate.' This is subsidiary or corollary membership of various other university bodies of which, by reason of his ceasing to be a member of the Senate, he shall cease to be a member"

The hon. Dr. P. SUBBARAYAN :—"I entirely agree with the views of the hon. Member from Madura and I accept his amendment."

The amendments were put and carried.

Clause 15, as amended, was put, passed and added to the Bill.

Clause 16.

The hon. Dr. P. SUBBARAYAN :—"I beg to move the amendment which runs as follows :—

'Omit the words "and the decision shall be final" at the end of the clause.'

"Sir, the word 'final' is vague, and perhaps the question arises whether a decision arrived at by two-thirds of the number of members of the Syndicate or the Academic Council will be final or *ultra vires*. The legal advisers of the Government are doubtful on this point. So I thought it best to leave out these words. This House has no jurisdiction to oust the power of civil courts in a matter of this kind."

The hon. Mr. M. R. SETURATNAM AYYAR :—"I second the amendment."

* Mr. S. SATYAMURTI :—"I am surprised to hear the opinions of the legal officers of the present Madras Government. The words 'the decision shall be final' occur in the District Municipalities Act, the Local Boards Act, the City Municipal Act and various other Acts. There are heaps of decisions of courts which have interpreted these words to mean that so far as the action of the particular body under a particular Act is concerned its decision is final, and that these words shall not take away the jurisdiction of the civil courts. Simply in order to avoid internecine disputes those words 'the decision shall be final' are put and they apply only so far as the action of the particular bodies is concerned. You will also notice that this proviso is an important proviso on which questions of dispute may not unoften arise. The proviso reads thus: 'Provided that if any question arises whether the Syndicate or the Academic Council has acted in accordance with such powers as aforesaid or not, the question shall be decided by a resolution passed by two-thirds of the number of members present and voting at a meeting of the Senate and the decision shall be final.' If the hon. Minister has suggested the deletion of the whole proviso, I could have understood him. By prescribing certain rules and by giving certain powers to a particular body under those rules it does not mean that those rules have ousted the jurisdiction of the civil courts. After all what does this proviso provide? It provides for a meeting of the Senate and it has to go into the whole question and then decide whether the Syndicate or the Academic Council has or has not acted within the ambit of the powers given under this Act or the Statute or the ordinances or the regulations framed under that Act. So far at least as this University Act is concerned, after allowing this clause, viz., 'the decision shall be final,' in the Select Committee, now to come at the last stage and ask us to omit those words would only mean that the Minister wants to upset the decision of even a two-thirds majority of the members present."

[Mr. S. Satyamurti]

[26th November 1928]

3 p.m.

"The Senate is the supreme governing body of the University under the scheme of the present Act. You have given certain powers to the Syndicate and the Academic Council. Disputes may and do sometimes occur, and you provide a tribunal for the settlement of these disputes. You provide the requisite majority. Then common-sense requires that you must wind up by saying that the decision so obtained shall be final. As for the courts, no legislature can really oust the jurisdiction of the courts except by express provision. This has been well established for the past several years. Several Acts passed by this Council even after the Montford Reforms contain the sentence 'the decision shall be final.' Therefore I suggest to the hon. Minister not to press his amendment and if he does so I request the House to reject it."

The hon. Dr. P. SUBBARAYAN :—"In view of the remarks of the hon. Member for the University and in view of the fact that the words occur in several Acts passed by this House, I beg leave of the House to withdraw my amendment."

The amendment was by leave withdrawn. Clause 16 was put, passed and added to the Bill.

Clause 17.

Mr. BASHEER AHMAD SAYEED :—"I move —

"that in item (5), line 2, for the words "in consultation with" the words "after consideration of the recommendations, if any, of" be substituted."

"The provision in the draft Bill seems to be an impracticable one. The Academic Council and the Senate are big bodies and nowhere in the Bill is there any provision for the method of consultation with these big bodies. The proper course would be to invite the recommendation of the Academic Council, and then decide as to the institution and maintenance of constituent colleges or prescription of the courses of study, etc. As the Bill stands at present, it is not clear how the hon. Minister proposes to hold this consultation with these two big bodies. Consultation would be easy between individuals, but between two such big bodies I do not see how consultation can be held—whether it is by joint meetings or by consultation among the heads of these bodies or among certain number of individuals of these bodies. Hence I move this amendment."

Mr. ABDUL HAMID KHAN :—"I second it."

The hon. Dr. P. SUBBARAYAN :—"Mr. President, Sir, I am afraid the hon. Member will make the position worse by his amendment. The result of his amendment will be that there may not be the same obligation on the Senate to refer the matter to the Academic Council. As it is, the Academic Council is supposed to be the supreme body in academic matters. If this amendment is accepted, the Senate, unless it takes it into its head to refer the matter to the Academic Council, may proceed with the matter without referring it to the Academic Council. I am afraid I cannot accept the amendment."

The amendment was put and negatived.

The hon. Dr. P. SUBBARAYAN :—"Sir, I move the following verbal amendments in item (6) :—

"In line 3, for the word "providing" substitute the words "in which provision is made for.""

26th November 1928]

[Dr. P. Subbarayan]

'In line 4, for the word "preparing" substitute the words "for the preparation of."

'In lines 5 and 6, omit the words "to withdraw approval from such institutions."

'In line 11, for the words "such time as they may be" substitute the words "they are."

'In line 12, after the word "universities" insert the words "and to withdraw such approval." "

The hon. Mr. M. R. SETURATNAM AYYAR :—"I second it."

The amendment was put and carried.

The hon. Dr. P. SUBBARAYAN :—"Sir, I move—

'that in item 8, lines 2 and 3, for the word "lecturerships" the word "lectureships" be substituted.'

"We have already accepted the word 'lectureships' and this amendment is intended to have the same word all through the Bill."

The hon. Mr. M. R. SETURATNAM AYYAR :—"I second it."

The amendment was put and carried.

The hon. Dr. P. SUBBARAYAN :—"Sir, I move—

'that in item (10), line 3, after the word "University" where it first occurs, the word "of" be inserted.'

The hon. Mr. M. R. SETURATNAM AYYAR :—"I second it."

The amendment was put and carried.

The hon. Dr. P. SUBBARAYAN :—"Sir, I move—

'that in item (10), line 8, for the words "such time as they may be" the words "they are" be substituted.'

The hon. Mr. M. R. SETURATNAM AYYAR :—"I second it."

The amendment was put and carried.

The hon. Dr. P. SUBBARAYAN :—"Sir, I move—

'that in item (18), line 5, for the words "other purposes" the words "all or any of the purposes specified in section 4-A of this Act" be substituted.'

"This is intended to amplify the meaning contained in the words put in by the Select Committee."

The hon. Mr. M. R. SETURATNAM AYYAR :—"I second it."

The amendment was put and carried.

• Clause 17 as amended was put to the House and passed.

Clause 18 was put to the House and passed.

Clause 19.

* Mr. S. SATYAMURTI :—"Sir, I have one difficulty and I submit it for your decision. My first amendment No. 41 is really consequential to my amendment No. 44. You will notice, Sir, that . . ."

[26th November 1928]

* The hon. the PRESIDENT :—"The hon. Member may move his amendments after amendments 42 and 43 are disposed of."

* Mr. MAHMUD SCHAMNAD SAHIB :—"Sir, I move—

'that in line 4, after the word "colleges" the words "and one at least a teacher of a Muhammadan college" be inserted.'

"My object in moving this amendment is simply to safeguard the Muhammadan educational interests. I do not mean to introduce any communal question or communal clause here. There are now in the Muhammadan Colleges teachers belonging to different communities, such as Muhammadans, christians and others. My resolution simply wants to have one teacher from one of the Muhammadan colleges."

* The hon. the PRESIDENT :—"The amendment falls through for want of a seconder."

* Mr. S. SATYAMURTI :—"Sir, I shall state the reasons for my two amendments and then move them one by one with your leave. My first amendment is to omit sub-clause (a) (i), which seeks to reduce the representation of the Senate on the Syndicate, or at least to modify it by prescribing that out of these eight members elected by the Senate three at least shall be teachers of affiliated colleges. On the other hand, I entirely agree with the hon. the Minister that there should be adequate, if not, ample representation of teachers both of the affiliated and constituent colleges on the Syndicate which is in practice the supreme governing body of the University. Therefore hon. Members will notice that in my second amendment I have suggested that there should be six members of whom not less than three shall be teachers of affiliated colleges. I have proposed that *for the words 'clause (3)' as (3) in lines 6 and 7, substitute the words 'in clause (3)'; for the word 'three' substitute the word, 'six'; for the words 'Council of affiliated colleges' substitute 'Academic Council'; add at the end the words 'of whom three shall be teachers of affiliated colleges'.* This means that the Academic Council will elect its representatives to the Syndicate all of whom shall be teachers and three of whom at least shall be teachers of affiliated colleges in the mufassal. This will preserve the balance of power between the three classes of members on the Syndicate, namely, the ex-officio members, the elected members and the nominated members. Hon. Members will appreciate the force of what I say if they compare the existing composition of the Syndicate under the Act which we are now amending and the proposed composition of the Syndicate according to the hon. the Minister's Bill. Under the present Act the Syndicate consists of 19 members 2 of whom are ex-officio members, the Director of Public Instruction and the Vice-Chancellor. Then there are eight members elected by the Senate from among its own members, three members elected by the Council of affiliated colleges from among its own members, three members elected by the Academic Council from among its own members and three members nominated by the Chancellor.

"Therefore in a Syndicate of 19 members, there are 2 ex-officio members, 14 elected members and 3 nominated members, so that the elective strength is 14 as against 3 nominated and 2 ex-officio members, or 14 against 5 non-elected members. Whereas under the scheme of the hon. Minister's Bill it will come to this. The ex-officio strength will remain unaffected; the nominated strength also will remain unaffected; but the elective strength will be

26th November 1928]

[Mr. S. Satyamurti]

reduced by as many as three members. That is to say, instead of 14 members there will be only 11 members of whom 8 shall be from the Senate and 3 from the Academic Council. In thus providing for the representation of teachers of affiliated colleges and not from the body from which they are naturally to be elected, from the body in which they will be amply represented, it is sought to make them representatives from the Senate; whereas the Academic Council consisting of a large number of teachers both from the Madras and mufassal colleges will be the proper constituency for the election of these members. If my amendments are accepted, the constitution of the Syndicate will be exactly what it was so far as the proportion between ex-officio, the elected and the nominated members is concerned. There will be 2 ex-officio members; there will be 14 elected members and there will be 3 nominated members. Eight members will be elected by the Senate both under the old Act and the new Bill but the remaining six members who are now elected, three each by the Academic Council and the Council of affiliated colleges, will be hereafter elected by the Academic Council. In order to provide for the safeguarding of the interests of the affiliated colleges I have provided, even as the hon. Minister has provided, for the election of three teachers of affiliated colleges. The only point of difference between the hon. Minister and myself is from which number this three is to come. I suggest that you leave the existing strength as it is, 14, and provide for teachers of affiliated colleges by increasing the representation of the Academic Council from three to six and leave eight by the Senate as it is.

"There is only one more point I want to mention. I am one of those who want that educationists must be represented adequately and fully on the Syndicate. At the same time I am one of those who believe that laymen also should be represented on the Syndicate. Either under my scheme or under the hon. Minister's scheme there will be at least eight educationists positively. That is to say, there will be two ex-officio members, the Director of Public Instruction and the Vice-Chancellor, who, I presume (if the Chancellor cares to secure educationists), will be experienced and well-known educationists. Secondly, there will be six members from the Academic Council, all of whom shall be teachers. Thus there will be eight members. Then there will be three members nominated by the Chancellor. I do not know what future Chancellors may do. But I know this that, in the nominations so far made, the Chancellor has nominated only educationists. A convention has been established—I am sure that the hon. Minister is familiar with it—that the Principal of the Engineering College, the Principal of the Medical College and one other general educationist are usually appointed by the Chancellor if the engineering and medical interests do not get representation otherwise. Hon. Members will, therefore, see that there will be 2 plus 6 plus 3 or 11 educationists always on the Syndicate. The only question is whether you should make an inroad on the remaining eight members who are elected by the Senate. Even there, I should like to say to my knowledge in the last two elections, out of six men at least two men have been educationists. To-day the Senate is represented on the Syndicate by eight members three of whom are educationists, Dr. Lakshmanaswami Mudaliyar, Mr. Rainganathan and Mr. Candeth. There is no fear of laymen swamping educationists. As a matter of fact, there are 14 educationists in the Syndicate and only five laymen. That will not be considered unreasonable. Under these circumstances, Mr. President, I trust my hon. Friend, the Education Minister, will see his

[Mr. S. Satyamurti]

[26th November 1928]

way to accept my amendment which is merely consequential on his accepting the amendment this morning to increase the representation of the Academic Council on the Senate from 10 to 20 and to reserve 10 of them for the representatives of the mufassal colleges. In any case the Senate being the supreme governing body it should not have its representation on the Syndicate affected. That is the main purpose of my amendment. At the same time ample provision is made for the representation of at least 14 teachers on the Syndicate. On that score there need be no fear. Therefore, I have great pleasure in commending my amendment to the acceptance of the House."

Mr. G. HARISARVOTTAMA RAO :—" Mr. President, Sir, I beg to second the amendment."

The hon. Dr. P. SUBBARAYAN :—" Mr. President, Sir, I have no objection to accept this amendment. But I would like to point out to the hon. Member for the University one difficulty which occurs to me, and that is, as the Act stands, the three members elected by the Academic Council from among its members will still stand. That is clause (2). Then in clause (3) my hon. Friend seems to make this amendment, viz., six members elected by the Academic Council of whom three shall be teachers of affiliated colleges. So, it means really that the Syndicate, instead of being 19, will become 22 and the Academic Council will elect really nine members and not six, of whom three at least should be teachers of affiliated colleges. So evidently the intention of my hon. Friend, if I understand him correctly, is that clause (2) should be omitted, clause (3) should be re-numbered as clause (2) and that the amendment should read as it is drafted. Sir, if you would give me permission, I would like to move an amendment"

* The hon. the PRESIDENT :—" The House is not in a drafting stage now."

The hon. Dr. P. SUBBARAYAN :—" Then, Sir, there is no other alternative for me than to oppose the amendment of my hon. Friend, because, really speaking, the Syndicate will become 22 instead of 19. I would rather leave it at 19 as will be the case under the Bill."

* Mr. S. SATYAMURTI :—" On a matter of personal explanation, Sir, I wish to correct the misunderstanding, made by the hon. the Minister, of what I said with regard to the scope of this Bill"

The hon. the PRESIDENT :—" As long as it is a personal explanation, I shall allow it."

Mr. S. SATYAMURTI :—" My amendment is in lines 6 and 7 of the Select Committee's Bill printed here"

The hon. the PRESIDENT :—" The hon. Member will be in order if he explains how the hon. Minister misunderstood him."

* Mr. S. SATYAMURTI :—" That is what I am leading to. My amendment is a draft amendment to the original Act: 'In lines 6 and 7, for the words "clause (3) shall be omitted and clause (4) re-numbered as (3)", substitute the words "in clause (3)"; for the word "three" substitute the word "six"; for the words "Council of affiliated colleges" substitute "Academic Council"; add at the end the words "of whom three shall be teachers of affiliated colleges."' My amendment, if it is put into the Act as it stands, with the amendment of the Select Committee: will read eight members elected

26th November 1928]

[Mr. S. Satyamurti]

by the Senate from among its members, six members elected by the Academic Council of whom three shall be teachers of affiliated colleges. I notice, however, that I have not given notice of a consequential amendment which is that clause (2), instead of being left as it is, should be deleted. Now in view of the fact that the Government and myself have agreed on this point, I shall give in the amendment if you will give me indulgence . . .”

* The hon. the PRESIDENT :—“The Bill has gone through the Select Committee. Now the Council is asked to sit again in a Select Committee stage and consider no less than 150 amendments. A new amendment is now sought to be introduced without any previous notice. I cannot be a party to such hasty legislation.”

* Rao Bahadur Sir A. P. PATRO :—“Sir, my hon. Friend, the representative for the University was very solicitous about representation of affiliated colleges. His amending Bill and the Bill of the hon. Minister have the object of abolishing the Council of the Affiliated Colleges. We provided representation for them. So far, we have tried in the Select Committee stage to give proper representation to the affiliated colleges both on the Senate and on the Syndicate. If this amendment is accepted, the result will be real executive work will be denied to them. The underlying motive for this amendment is not very clear. If we allow such an amendment, it would be taking away the power of the Syndicate. I do not therefore consider that this amendment is necessary in the interest of the executive work of the Syndicate.”

The amendment was put and lost.

* Mr. C. GOPALA MENON :—“Mr. President, Sir, I move the amendment that stands in my name which reads as follows :—

‘Omit the proviso in sub-clause (a) (iii).’

“I shall read the proviso itself in the Bill :—‘Provided that no whole-time University Professor or whole-time teacher of the University shall be elected or nominated a member of the Syndicate.’ Sir, if this proviso is passed, it would disable University Professors from holding a place on the managing body of the University. In other words, University Professors as such shall not be eligible for election to the Syndicate either from the Academic Council or from the Senate. A little while ago I was interested to hear from the hon. Member for the University that there should be educationists of all shades of opinion represented on the Syndicate. If that be so, then University Professors who are engaged in research work should not be debarred from becoming members of the Syndicate. I hope the hon. Minister will find his way to accept this amendment.

“The object with which the Madras University Act was passed in 1923 was to transform the University into a teaching University. There is no regular teaching by the University Professors except that they are holding classes to train up students for the Diploma in Economics. The University should not be debarred from exercising any of its teaching functions. If my amendment is not accepted, it will make it impossible to take any steps to transform the Madras University into a teaching University. The question is whether there is really any need to keep out the University Professors out of the University administration. If the amendment of the Select Committee is accepted, the Syndicate would be composed of the ex officio Vice-Chancellor, the Director of Public Instruction, three representatives from the

[Mr. C. Gopala Menon]

[26th November 1928]

Academic Council, six members representing the Senate, and three members nominated by the Chancellor. Of these, how many can claim to have any acquaintance with research work? It is therefore essential that University Professors who are carrying out research work should find a place on the Syndicate. There may be an objection put forward, Sir, that these University Professors are servants of the Syndicate and that they are receiving salaries from the University and on that account they should not find a place on the Syndicate. If that be so, the Vice-Chancellor who is on the Syndicate is also receiving his salary from the University. Therefore, that plea cannot stand. If we look into the practice obtaining in other Universities in India, we find that the University Professors find a place on the Syndicate, for instance, in Calcutta, Allahabad, Benares, Dacca, etc. On these grounds, Sir, I move that this proviso in sub-clause (a) (iii) be deleted."

3-30
p.m.

Mr. B. RAMACHANDRA REDDI :—"Sir, I second this."

* The hon. the PRESIDENT :—"The question is that the proviso in sub-clause (a) (iii) be omitted."

The hon. Dr. P. SUBBARAYAN :—"Mr. President, I am afraid I cannot accept the amendment of my hon. Friend, Mr. Gopala Menon, because the Syndicate is the executive body of the University and it has certain powers over these professors who are really whole-time servants of the University. I do not think it is right that such whole-time servants should find a place on the managing body of the University. I think that is the reason which made my hon. Friend when he introduced the Andhra University Act, to incorporate such a provision in the Andhra University Act. Under the circumstances, I cannot accept this amendment of Mr. Gopala Menon."

The amendment was put to the House and negatived.

The hon. Dr. P. SUBBARAYAN :—"Mr. President, I move—

'that in line 5, for the words "elected or nominated", the words "eligible for election or nomination as" be substituted.'

"This is merely a consequential amendment and I move it."

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—"I second it."

* The hon. the PRESIDENT :—"The question is: For the words 'elected or nominated' in line 5, substitute the words 'eligible for election or nomination as.'"

The amendment was put and carried.

The hon. Dr. P. SUBBARAYAN :—"Mr. President, Sir, I move—

'that in line 3 of sub-clause (b), the letter '(b)' in clarendon type be omitted.'

"It is only a consequential amendment, Sir, and I move it."

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—"I second it."

* The hon. the PRESIDENT :—"The question is that in line 3 of sub-clause (b), the letter '(b)' in clarendon type be omitted."

The amendment was put and carried.

26th November 1928]

* Mr. K. R. VENKATARAMA AYYAR :—" Mr. President, I move—

'that in the first proviso, after the word "unless" the word "meanwhile" be inserted.'

"The House has already accepted such an amendment of a previous clause, and I move this."

Mr. C. GOPALA MENON :—" I second it."

* The hon. the PRESIDENT :—" The question is that in the first proviso, after the word 'unless' the word 'meanwhile' be inserted."

The hon. Dr. P. SUBBARAYAN :—" Mr. President, I accept the amendment because it is similar to the one that my hon. Friend moved with regard to the Senate."

The amendment was put and carried.

* Mr. C. V. VENKATARAMANA AYYANGAR :—" Sir, I move—

'that at the end of the first proviso, the following words be added :—

"or in the case of a teacher of an affiliated college, if he goes on leave for a period of not less than six months."

"Sir, it is a new principle which is not contained in the Act itself, but this principle has been accepted in regard to the recent Annamalai University Act. This has been there accepted both by the Select Committee and the Council. It is only applicable to cases where people go on long leave. . . ."

* The hon. the PRESIDENT :—" Is it within the scope of this amending Bill ?"

* Mr. C. V. VENKATARAMANA AYYANGAR :—" Yes, Sir. The proviso simply says : 'No member elected in his capacity as a member of a particular body shall hold office for a longer period than three months after he has ceased to be such member'. The word 'ceased' should have practically the same effect if the member goes on leave. We had recently some instances where people went on leave for two or three years but still continued to be borne on the establishment. Wherever people went on leave, I do not think they ceased to be members, but were continued as members on long leave, and shown in the registers as such. So, it is only a question of principle. Since the hon. the Minister has accepted a similar amendment in the matter of the other Act, I think he will accept this amendment also. I am not however very particular about the period of the leave."

Mr. J. A. SALDANHA :—" I second it."

* The hon. the PRESIDENT :—" The question is that at the end of the first proviso, the following words be added :—

'or in the case of a teacher of an affiliated college, if he goes on leave for a period of not less than six months.'"

The hon. Dr. P. SUBBARAYAN :—" Mr. President, I should like to point out one difficulty to my hon. Friend, and that is : there may be a case of a teacher of an affiliated college being on leave but still living in the country and being able to attend to the work of the University. Does my friend mean that such a teacher should cease to be a member of the Syndicate although he is able to discharge his duty in the country by remaining on the

[Dr. P. Subbarayan]

[26th November 1928]

spot? I think the amendment as carried by the Select Committee will meet the wishes of my hon. Friend. I would rather like this amendment is not carried, and I request him to withdraw it."

The amendment was put and negatived.

* Mr. S. SATYAMURTI :—" Sir, the new proviso of which I have given notice and which I now place before this House is this :

' Provided further that a member of the Syndicate shall cease to be a member, if he absents himself from three consecutive monthly meetings of the Syndicate, but he may be reinstated, once, as a member of the Syndicate.'

" Sir, the Syndicate is an executive body discharging from week to week by circulation and from month to month by meetings, important executive and administrative functions of the University. If members of the Syndicate can be absent from three consecutive monthly meetings, it means that for three months they need not attend to the work of the Syndicate; and moreover, Sir, if after three months they become eligible for reinstatement if their colleagues on the Syndicate think that their absence was due to reasonable causes and that they ought not to deprive themselves of the continuous presence of such members, I think it would be fair to have a provision of this kind. I may mention, Mr. President, that to my knowledge in the Madras City Municipal Act there is a similar provision that any person absenting himself from three consecutive meetings loses his seat, but he has the right of being reinstated if his colleagues vote in favour of such reinstatement. I have provided, Sir, in my amendment that a person may be absent from three consecutive meetings and yet retain his seat. At the fourth meeting, it is open to his colleagues to reinstate him. He can go on for another three months. If at the seventh meeting it is found that he has been absent for the second three months, he loses his membership on the Syndicate. I think, Sir, we must think of the bodies whose representation we are securing on the Syndicate through such members. It is not fair that the representative on the Syndicate should be absent for six consecutive months and meetings. This is an important matter and I suggest that the absence of these members will deprive those bodies that are represented on the Syndicate of their rightful representation. Moreover, Sir, I think we must also make the members of the Syndicate feel that they cannot have membership of the Syndicate as a kind of sinecure where they can just attend or need not attend meetings. As a matter of fact, I want that they should be active members if they want to be on the Syndicate at all. With that purpose, Sir, I move my amendment "

Mr. J. A. SALDANHA :—" I second it."

* The hon. the PRESIDENT :—" The question is to add a new proviso at the end of sub-clause (b), as in the agenda."

The hon. Dr. P. SUBBARAYAN :—" Mr. President, I would first point out one difficulty, and that is: my friend says he may be reinstated. But by whom? That is not made clear in the proviso that he has proposed. Secondly, I think we ought to leave men on these bodies to think themselves of the responsibility that they have undertaken. We get only really educated men on these bodies, and we ought to leave it to their good sense to think of the responsibility they have undertaken to the constituency they represent ;

26th November 1928] [Dr. P. Subbarayan]

and if they think they are not fulfilling their duties properly, I think it should be given to them to resign. We ought not to legislate in this manner. Under these circumstances, I object to this amendment."

The amendment was put to the House and declared carried. A poll was demanded and the House divided thus:—

Ayes 31.

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|------------------------------------|--|
| 1. Mr. F. E. Corley. | 18. Mr. C. Venkatarangam Nayudu. |
| 2. " Sami Venkatachalam Chetti. | 19. " Abdul Hamid Khan. |
| 3. " S. Satyamurti. | 20. " G. Harisarvottama Rao. |
| 4. " C. V. Venkataramana Ayyangar. | 21. " C. N. Muthuranga Mudaliyar. |
| 5. " P. G. Venkatapati Raju. | 22. " K. V. K. Swami. |
| 6. " J. A. Saldanha. | 23. " K. P. V. S. Muhammad Meera Ravut- |
| 7. " K. Uppi Sahib. | tar. |
| 8. " D. Narayana Raju. | 24. " M. Narayana Rao. |
| 9. " C. Obi Reddi. | 25. " A. Ranganatha Mudaliyar. |
| 10. " A. Parasurama Rao. | 26. Diwan Bahadur R. N. Arogyaswami |
| 11. " C. Ramasomayajulu. | Mudaliyar. |
| 12. " Basheer Ahmad Sayeed. | 27. Mr. C. Gopala Menon. |
| 13. " P. Bakthavatsulu Nayudu. | 28. " B. Ramachandra Reddi. |
| 14. " A. Kaleswara Rao. | 29. Rao Bahadur C. S. Ratnasabapathi Mudali- |
| 15. " K. Koti Reddi. | yar. |
| 16. " L. K. Tulasiram. | 30. The Kumara Raja of Venkatagiri. |
| 17. " K. Madhavan Nayar. | 31. Mr. A. V. Bhanoji Rao. |

Noes 43.

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|---|---|
| 1. The hon. Sir Norman Macjoribanks. | 22. Mr. J. Kuppuswami. |
| 2. " Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 23. Subadar-Major Nanjappa Bahadur. |
| 3. " Mr. T. E. Moir. | 24. Mr. K. Krishnan. |
| 4. " Diwan Bahadur M. Krishnan Nayar. | 25. " N. Siva Raj. |
| 5. " Mr. M. R. Seturatnam Ayyar. | 26. " M. V. Gangadhara Siva. |
| 6. " Mr. S. Muthiah Mudaliyar. | 27. " V. I. Muniswami Pillai. |
| 7. " Dr. P. Subbarayan. | 28. " W. P. A. Soundarapandia Nadar. |
| 8. Khan Bahadur Muhammad Bazl-ul-lah Sahib Bahadur. | 29. " Daniel Thomas. |
| 9. Mr. H. A. Watson. | 30. " S. Venkiah. |
| 10. " C. A. Souter. | 31. The Zamindar of Singampatti. |
| 11. " S. H. Slater. | 32. Rao Sahib R. Srinivasan. |
| 12. " A. McG. C. Tampoe. | 33. Mr. W. E. Smith. |
| 13. " C. W. E. Cotton. | 34. " W. O. Wright. |
| 14. " V. Ch. John. | 35. " R. J. C. Robertson. |
| 15. " M. A. Manickavelu Nayakar. | 36. Rajkumar S. N. Dorai Raja. |
| 16. Syed Tajudin Sahib Bahadur. | 37. Mr. S. Arpudaswami Udayar. |
| 17. Mr. A. B. Shetty. | 38. The Raja of Panagal. |
| 18. " J. Bheemayya. | 39. Rao Bahadur Sir A. P. Patro. |
| 19. " J. A. Davis. | 40. Khan Bahadur S. K. Abdul Razaack Sahib Bahadur. |
| 20. " R. Foulkes. | 41. Mr. Khadir Mohideen Sahib. |
| 21. " Mahmud Schammad Sahib. | 42. Diwan Bahadur S. Kumaraswami Reddi- |
| | yar. |
| | 43. Rao Bahadur K. Sitarama Reddi. |

Ayes 31. Noes 43.

The amendment was lost.

Clause 19—Sub-clause (c).

MR. K. R. VENKATARAMA AYYAR:—"Sir, I move—

‘that in line 1, for the words “On ceasing” the words “When a person ceases” be substituted.’ 3-45. p.m.

“A similar amendment has already been accepted.”

MR. C. GOPALA MENON:—"I second it."

[26th November 1928]

The hon. Dr. P. SUBBARAYAN :—" Sir, this is a similar amendment to the one that my hon. Friend moved with regard to the Senate. So, I have no objection to accept it."

The amendment was put to the House and carried.

* The hon. the PRESIDENT :—" Clause 19 as amended is for the consideration of the House."

* Mr. S. SATYAMURTI :—" I crave leave to move that the further consideration of this clause be adjourned."

* The hon. the PRESIDENT :—" The amendment is not in my hands."

* Mr. S. SATYAMURTI :—" I beg to move that the further consideration of clause 19 be adjourned to the next official day. My reason is this. There was an important amendment of mine voted upon in respect of the composition of the Syndicate on which both my hon. Friend the Education Minister and myself found ourselves in agreement, but owing to a mistake on my part, for which I take full responsibility and I apologise to the House, in my drafting the amendment, there was one consequential amendment which was not put in. Since you ruled that you cannot give permission to it, my object is that I may be able, if this House agrees to the adjournment to the next official day, to put my amendment in the proper form, so that the House may have an opportunity of voting. To-day unfortunately the voting had to be, I say so without any disrespect, because of a defect in the wording which is entirely mine."

* The hon. the PRESIDENT :—" Will the hon. Member be in order to move an amendment in the same stage? For the convenience of hon. Members, the third reading will be the proper stage, because you cannot raise the same question again at this stage."

Mr. S. SATYAMURTI :—" I may say, I am agreeable to adopting your suggestion of bringing it up, subject to your ruling."

* The hon. the PRESIDENT :—" You may move it with that risk."

Mr. S. SATYAMURTI :—" The amendment which was actually moved and voted upon would not be the same amendment which I will have to bring later on, because it will be a different amendment, i.e., to delete a particular clause in the Bill."

The hon. the PRESIDENT :—" I request the hon. Member to consider that aspect of the question."

Mr. S. SATYAMURTI :—" I may make one submission to you, Sir. In any case if the House agrees that I shall have to bring it at the third reading stage as you put it, I shall take the risk, and with that end in view, I beg to move that the further consideration of this clause be adjourned to the next official day."

Mr. C. V. VENKATARAMANA AYYANGAR :—" I second it, Sir."

* The hon. the PRESIDENT :—" The question is that the further consideration of clause 19 be adjourned to the next official day."

The hon. Dr. P. SUBBARAYAN :—" Mr. President, I have no objection to this adjournment."

26th November 1928]

The hon. the PRESIDENT :—"I think, the better course will be for the Government to bring it up, and it is for them to arrange their own agenda. So, I will omit the words 'to the next official day.' The question is that the further consideration of clause 19 be adjourned."

The motion was put to the House and carried.

Clause 20.

The hon. Dr. P. SUBBARAYAN :—"In lines 5 and 6 of item (j).

'the words "and rescind approval already granted" be omitted'

"This is being done because already we have given this power to the Senate and if this power is retained in the Syndicate there will be conflict between the two authorities. So, I move this amendment."

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I second it."

The amendment was put and carried.

* Mr. C. GOPALA MENON :—"Sir, I move—

'that item (l) be omitted, viz., "to prescribe the qualifications of teachers in constituent and affiliated colleges and hostels" and the remaining items be re-lettered.'

"This, Sir, is really the business of the Academic Council. In the old Act it is the Academic Council that discharged this duty and it is now put in under clause 19 in the powers of the Syndicate. The hon. the Minister has seen the spirit of it and he has given an amendment to add the words 'in consultation with the Academic Council.' What I suggest is that it is the duty of the Academic Council and I request that the hon. Minister will see his way to accept my amendment. So, I move for the deletion of the item."

Mr. B. RAMACHANDRA REDDI :—"I second it, Sir."

The hon. Dr. P. SUBBARAYAN :—"Mr. President, I do not mean to move my amendment No. 59 . . ."

* The hon. the PRESIDENT :—"We are discussing item No. 58."

The hon. Dr. P. SUBBARAYAN :—"In talking on this amendment the hon. Member referred to my amendment No. 59. He wants the whole power to be given to the Academic Council. As a matter of fact, I think this power ought to be in the Syndicate because it is a manageable body and meets quite often. As it is, even under the old Act this power was given to the Syndicate. I think for the proper discharge of business, this power should be in the hands of the Syndicate rather than in the Academic Council. So, I oppose the amendment of Mr. Gopala Menon."

The amendment was put and lost.

* Mr. C. GOPALA MENON :—"Mr. President, the amendment is to delete item (g) *'to appoint members to the Boards of Studies'* and *'re-letter the remaining items.'* This is really within the power of the Academic Council and this power is now being transferred to the Syndicate. The Academic Council should not be deprived of this power and I therefore move that this item be deleted."

Mr. B. RAMACHANDRA REDDI :—"I second it."

The hon. Dr. P. SUBBARAYAN :—"The select committee with whom I agreed considered that it would be better if these Boards of Studies are appointed by a

[Dr. P. Subbarayan]

[26th November 1928]

body like the Syndicate which meets more often and is able to get through business more quickly than the Academic Council. Besides, it is a smaller body and it will be well able to do this work and, even before the 1923 Act came into force, this matter of the appointment of the members of the Board of Studies was in the hands of the Syndicate. I think, for the better constitution of the University, it would be better if the power is in their hands. So, I oppose the amendment of Mr. Gopala Menon."

The amendment was put and lost.

* Mr. C. GOPALA MENON :—" I move that the following be substituted for item (r) (i) :—

' To appoint examiners and assistant examiners after consideration of the recommendations of the Academic Council and the Board of Studies, but no member of the Syndicate shall be appointed as an examiner or assistant examiner.'

" My reason in moving this amendment is that the Syndicate is the appointing authority and it may happen that they may appoint one of their own men of the Syndicate as an examiner, in which case they will be arrogating the power to themselves. That is not a sound policy. Therefore I say that no member of the Syndicate should be appointed as an examiner especially when there is no paucity of qualified men to be appointed as examiners."

Mr. K. R. VENKATARAMA AYYAR :—" I second it."

The hon. Dr. P. SUBBARAYAN :—" Mr. President, I quite see my hon. Friend's point of view. As it is, the Syndicate has been following this practice of not appointing members of the Syndicate either as examiners or as assistant examiners, except in particular cases and that is when they cannot find any one capable of discharging that function. So, I do not think we ought to restrict the Syndicate by legislation. Therefore, I oppose the amendment of my hon. Friend."

Dr. B. S. MALLAYYA :—" Sir, this amendment, if carried, will really cause serious difficulties in the case of technical examinations. In the case of Engineering College examinations, the Principal of the Engineering College is generally a member of the Syndicate. So also, in the case of the Madras Medical College, the Principal of the Medical College is a member of the Syndicate. If these two men are denied examinerships, you are depriving the services of the best men as examiners. They are generally also Chairmen of the Board of Examiners. In every way this is handicapping them and the insinuation made by my hon. Friend Mr. Gopala Menon is rather ungracious, i.e., that the members of the Syndicate will see that their friends are made examiners. It is not fair to make that remark behind their backs. I wish that my hon. Friend Mr. Menon will see his way to withdraw his amendment."

* Mr. S. SATYAMURTI :—" Sir, my sympathies are entirely with my hon. Friend representing the Chamber of Commerce. My hon. Friend from the City, I think, has set an example of how members may attack others and he said that my hon. Friend representing the South Indian Chamber of Commerce did something which he ought not to have done and it was very ungracious, to use his own words. My hon. Friend, I think, put forward a view which all countries and all institutions accept, that is to say, that no man would place himself in a position where his interest and duty would come into conflict with each other. It does not matter even if they actually come into conflict."

26th November 1928]

[Mr. S. Satyamurti]

My friend from the City may rise above all temptation. Some of us are human, many of us are and the undoubted possibility is that when you feel that you can appoint yourselves, there are likely to be less rigorous tests, even consciously, sometimes even unconsciously.

"Now we are nineteen members of the Syndicate. I am not divulging any secret whatever. But at the same time I can assure you that we discuss very much more mercilessly the claims and qualifications of any outsider than those among ourselves. No colleague can sit there and raise any demur against his colleague being proposed, unless he is superhuman." 4 p.m.

MR. C. V. VENKATARAMANA AYYANGAR :—"There is not party system."

* MR. S. SATYAMURTI :—"As my friend says, there is no party system and so there is nothing to oppose any one being proposed. Supposing I am proposed, somebody may murmur and, by the time the murmur gains strength, I would have been appointed.

"My friend raises the fundamental principle of public morality. He says nobody should be given power to distribute offices among themselves, as it is liable to abuse. I do not suggest for one moment that it has been abused in the past. But a legislature will well consider in giving it such powers after taking reasonable precautions. My friend said the Principals of the Engineering and Medical Colleges are members of the Syndicate and they ought not to be there. But it is said thereby we will be depriving the body of experts. But there are many engineers, many doctors in this country and this Presidency and, if these would be able to attend, then you would have a satisfactory board. It is to think very poorly of this body to say that those experts are indispensable. The Principals are not ex-officio members; they are nominated members. If the authorities concerned think much harm will follow, there is nothing to prevent them from taking a self-denying resolution. There may be other engineers and other doctors in the Syndicate.

"But, Sir, the hon. the Minister, who I thought would accept the spirit of the amendment, has chosen to oppose. What we have here to consider is the spirit of the amendment. I can assure the hon. Member for the South Indian Chamber of Commerce that we shall appoint them only where we cannot get any other experts. Out of nineteen members, only two members are examiners, and that because of special circumstances. I do not want the Mover to press this amendment, for the Syndicate will take care not to violate the principle involved even though the amendment may be defeated. For I know the amendment will be defeated and the defeat will be the defeat of the amendment and not that of the principle underlying it."

MR. C. GOPALA MENON :—"On a matter of personal explanation, I never threw out any insinuation . . ."

* THE hon. the PRESIDENT :—"It does not constitute a matter for personal explanation."

* MR. C. V. VENKATARAMANA AYYANGAR :—"I am only surprised that the Member for the University should go all the way to ask the Mover to withdraw the amendment. This question has been raised in the Senate by me more than once both by way of questions as well as by way of suggested resolutions and speeches. It was said in reply to a question that, as a rule, Syndicate members are not appointed as examiners, but there are exceptions to it and to-day we are told that out of nineteen members only two

[Mr. C. V. Venkataramana Ayyangar] [26th November 1928]

are examiners and that too due to exceptional circumstances. I am surprised the hon. the Minister who has admitted the wisdom of this amendment is in action opposing it. His action is clearly like that of one seeking legal advice and when a contrary advice is given he says 'Well, I am satisfied with your advice.'

"This is a question of prestige as well as of safety. There is no doubt whatever from what Mr. Satyamurti has told the House that when once the name of a member of the Syndicate is proposed nobody will be prepared to object to it. With such an admission before us it is certainly very unjust to say that this amendment should not be moved. I should not be blamed if I say that there is nothing to prevent all the nineteen members of the Syndicate from being appointed as examiners. I strongly support this amendment and I hope the hon. the Minister, here I see even the experts sometimes voting against him, will pay some attention to this matter and take a serious decision. I appeal to the House to pass this amendment and tell the Syndicate not to do such things."

* MR. J. A. SALDANHA :—"Sir, the principle of this amendment is so important that its analogous principles are accepted in appointments to the services and boards, and even in municipalities in the relation of the chairmen to contractors. Therefore I support this amendment."

The amendment was put to vote and declared lost. A poll was demanded and the House divided thus :—

Ayes.

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| 1. Rajkumar S. N. Dorai Raja. | 20. Mr. Basheer Ahmad Sayeed. |
| 2. Mr. S. Arpudraswami Udayar. | 21. " P. Bhaktavatsulu Nayudu. |
| 3. " Sami Venkatachalam Chetti. | 22. " A. Kaleswara Rao. |
| 4. " S. Satyamurti. | 23. " R. Srinivasa Ayyangar. |
| 5. " C. V. Venkataramana Ayyangar. | 24. " K. Koti Reddi. |
| 6. " P. C. Venkatapati Raju. | 25. " K. Madhavan Nayar. |
| 7. " J. A. Saldanha. | 26. " C. Venkataramam Nayudu. |
| 8. Abdul Hamid Khan Sahib Bahadur. | 27. " A. Ranganatha Mudaliyar. |
| 9. Mr. C. S. Govindaraja Mudaliyar. | 28. Diwan Bahadur R. N. Arogyaswami Mudaliyar. |
| 10. " G. Harisarvottama Rao. | 29. Mr. T. C. Srinivasa Ayyangar. |
| 11. " C. N. Muthuranga Mudaliyar. | 30. " P. Siva Rao. |
| 12. " K. V. R. Swami. | 31. " K. R. Venkatarama Ayyar. |
| 13. " D. Narayana Raju. | 32. " K. P. Raman Menon. |
| 14. K. Uppi Sahib Bahadur. | 33. " C. Gopala Menon. |
| 15. Mr. K. R. Karant. | 34. " B. Ramachandra Reddi. |
| 16. " M. Narayana Rao. | 35. Rao Bahadur C. S. Ratnasabapathi Mudaliyar. |
| 17. " C. Obi Reddi. | |
| 18. " A. Parasurama Rao. | |
| 19. " C. Ramasomayajulu. | |

Noes.

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| 1. The hon. Sir Norman Marjoribanks. | 11. Mr. C. A. Souter. |
| 2. " Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 12. " S. H. Slater. |
| 3. " Mr. T. E. Moir. | 13. " A. McG. C. Tampoe. |
| 4. " Diwan Bahadur M. Krishnan Nayar. | 14. " C. W. E. Cotton. |
| 5. " Mr. M. R. Seturatnam Ayyar. | 15. " V. Ch. John. |
| 6. " Mr. S. Muthiah Mudaliyar. | 16. " M. A. Manikkavelu Nayakar. |
| 7. " Dr. P. Subbarayan. | 17. Syed Tajuddin Sahib Bahadur. |
| 8. Rao Bahadur C. V. Anantakrishna Ayyar. | 18. Mr. A. B. Shetty. |
| 9. Khan Bahadur Muhammad Bazl-ul-lah Sahib Bahadur. | 19. " J. Bheemayya. |
| 10. Mr. H. A. Watson. | 20. " J. A. Davis. |
| | 21. " R. Foulkes. |
| | 22. " P. J. Gnanavaram Pillai. |
| | 23. Mahmud Schamnad Sahib Bahadur. |

26th November 1928]

Noes—cont.

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| 24. Mr. J. Kuppuswami. | 39. Mr. K. Ramachandra Padayachi. |
| 25. Subadar-Major S. A. Nanjappa Bahadur. | 40. „ G. R. Premayya. |
| 26. Mr. T. M. Narayanaswami Pillai. | 41. „ F. E. Corley. |
| 27. „ K. Krishnan. | 42. Dr. B. S. Mallayya. |
| 28. „ N. Siva Raj. | 43. The Raja of Panagal. |
| 29. „ M. V. Gangadhara Siva. | 44. Diwan Bahadur P. C. Ethirajulu Nayudu. |
| 30. „ V. I. Muniswami Pillai. | 45. Mr. P. T. Rajan. |
| 31. „ W. P. A. Soundarapandia Nadar. | 46. „ T. K. Chidambaranatha Mudaliyar. |
| 32. „ Daniel Thomas. | 47. Rao Bahadur S. Ellappa Chettiyar. |
| 33. „ S. Venkiah. | 48. Khan Bahadur S. K. Abdul Razaek Sahib Bahadur. |
| 34. The Zamindar of Singampatti. | 49. Muhammad Khadir Mohidin Sahib Bahadur. |
| 35. Rao Sahib R. Srinivasan. | 50. Diwan Bahadur S. Kumaraswami Reddiyar. |
| 36. Mr. W. E. Smith. | |
| 37. „ W. D. Wright. | |
| 38. „ R. J. C. Robertson. | |

Ayes 35. Noes 50.

The amendment was lost.

* **MR. S. SATYAMURTI** :—“ I move the deletion of the words ‘*the Academic Council and*’ ‘*in item (r) (i) of clause 20.*’ My point is this. Under the scheme of this Bill, the hon. the Minister will notice that the Board of Studies have got to recommend examiners and then on their recommendation the Syndicate will appoint examiners. As the Bill stands, both the Academic Council and the Board of Studies make these recommendations and the result is that of the two the Syndicate is to consider the recommendations of the Board of Studies and only in cases where these recommendations are not satisfactory it turns to the recommendations of the Academic Council, or the recommendations of the Academic Council are merely appended and they are not looked at for any serious purpose. The Academic Council also being under the Bill a very large body, a very large number of examiners happen to be put on the list of recommendations—this is a public matter and so you should expose to the public what happens in the Academic Council. Any member can suggest any name. There is no discussion, there can be no discussion in such a large body and the result is that a long list of names put together as recommendations of particular members of the Academic Council is placed before the Syndicate. I am moving the amendment with a view to strengthen the hands of the Board of Studies. They are really experts in the subjects assigned to them. The Syndicate after all is representative of a few subjects; it represents some subjects and does not represent the other subjects. It functions by accepting, except in certain exceptional cases, the recommendations by formally and approving subject to fair codes, to ensure justice to all colleges and to all teachers.

“ Whereas now if you give the power to the Academic Council also, it simply means a huge list with no attempt at classification of the qualifications, flung on the heads of the Syndicate. Therefore I want to strengthen the powers of the Board of Studies on the one hand and to see to it that expert bodies recommend names and those names are duly and carefully considered by the Syndicate. I suggest that this power which is not really exercised and cannot be exercised well in the circumstances now existing in the Academic Council, be taken away from the Academic Council and vested solely in the Board of Studies. I am moving this, Sir, not to deprive the Academic Council of any real power it has now got. I am sure my friends who are the expert members will support me when I say that the Academic Council cannot and does not exercise any powers of assessing the qualifications of the various persons whose names are recommended or purported to be

4-15
p m.

[Mr. S. Satayamurti] [26th November 1928]
recommended by the Academic Council for examinerships. They are merely thrown together pell-mell as they are proposed to the Academic Council and the list is sent up to the Syndicate without any classification. Whereas if the Board of Studies recommends names for examinerships, the list will command authority with the Syndicate. For these reasons, I move the amendment which stands in my name."

* Mr. J. A. SALDANHA :—"Sir, I second the amendment and in doing so, I must observe that there is nothing more scandalous than the way the examiners are appointed. The names are submitted in a very haphazard manner by the Academic Council to the Syndicate. Then there is very great difficulty in making a proper selection. The whole thing should be left in the hands of a body of experts who know the merits of the various candidates who want to become examiners. I think the best body should make a proper selection and recommendation and the names should then be sent up to the Syndicate to make proper selection out of such a list."

Mr. W. E. SMITH :—"Sir, I support the amendment. It could be an advantage to the Syndicate to have before it only one list of recommendations for examinerships, namely, that of the Board of Studies. It is no advantage to the Syndicate to have a list of recommendations put forward by a less competent body, namely, the Academic Council."

The amendment was put and carried.

Item (y).

The hon. Dr. P. SUBBARAYAN :—"Mr. President, I move the amendment standing in my name which runs thus :—

'Substitute the following for the existing item (y) :—

"(y) to delegate any of its powers to the Vice-Chancellor or to a committee from among its own members or to a committee appointed in accordance with the statutes."

"The latter part of this clause is moved because Mr. Corley came to me and told me and Mr. Smith also has pointed out the difficulties that may arise if the committee that is to be appointed by the Syndicate is to consist only of the members of the Syndicate. To take a concrete example, there is the University library which is being managed by a committee appointed by the Syndicate. On this committee there are members who are not members of the Syndicate. If really the membership of these committees to whom powers are to be delegated by the Syndicate is to be confined only to the members of the Syndicate, it will be rather hard to find people to manage institutions of the university like the library and the laboratories which will soon come into existence, and also other institutions of the University. In that case, I think the delegation ought to be to committees of its own members which the Syndicate may have power to select."

The hon. Mr. M. R. Seturatnam Ayyar seconded the motion.

Mr. S. SATYAMURTI :—"Sir, I beg to move that the words 'to the Vice-Chancellor or' as also the words 'or to a committee appointed in accordance with the statutes' be deleted.

"Sir, this power of delegation is a power which ought to be very zealously guarded by the Legislative Council. Delegation is not the normal way in which bodies with powers delegated are allowed to function. But if the

26th November 1928]

[Mr. S. Satyamurti]

Legislative Council for any reasons considers that some of the powers which any enactment gives to a body may be delegated, it should watch with zealous and careful eyes the nature of the body to whom such delegation is made, the nature of the powers which may be thus delegated and the conditions under which these powers may be delegated. The hon. the Minister's sweeping amendment means this, to delegate any of its powers to the Vice-Chancellor

The Syndicate may therefore delegate to the Vice-Chancellor the power of recognition of constituent colleges, the power of withdrawal of recognition from constituent colleges, etc. It may also delegate to the Vice-Chancellor the power to affiliate mufassal colleges as also to disaffiliate them. I am only giving one or two examples of the various powers which may be delegated by the Syndicate. As a matter of fact, Mr. President, no occasion has arisen within my knowledge to justify this radical change in regard to delegation of powers to the Vice-Chancellor at all. Sir, the Vice-Chancellor has got certain duties prescribed for him under the statute. Among them is the duty to see to it that the statutes and regulations are properly carried out and he is the chief executive officer. He has ample powers to enforce proper standards in the University. If now you are going to allow the Syndicate to delegate these large powers, it will not be desirable. I will give one instance, namely, the power of appointing members to the Boards of Studies, the appointment of examiners, the employment of the university laboratories, management of constituent colleges, etc. All these powers may be delegated to the Vice-Chancellor. The hon. the Minister has given no reason why there should be such a wide delegation. I suggest that it is unsafe and that it is against the canons of legislation of this kind that such large powers should be allowed by the Syndicate to be delegated to a single individual. No case has arisen in my experience—and I have some experience of the working of these bodies—which justifies this radical change. I quite agree that there have arisen cases where special committees have felt somewhat handicapped in that they can discharge no single matter finally. Therefore if there is power of delegation to committees of the Syndicate of certain powers, there is absolutely no danger in that because they are all members of the Syndicate. A minority of that committee will be able to bring it up before the Syndicate itself. My hon. Friend gave instances which are absolutely out of date. He was talking of the library committee, but according to his own scheme this library committee is hereafter going to be managed by the Syndicate itself. Sir, you will notice that sub-clause (t) says 'to manage the university laboratories, libraries, etc.' Under the present Act the management of the library is in the hands of the Academic Council. Hereafter under the scheme of this Bill, if this Council approves it, that power will be vested in the Syndicate. Therefore there is no need to delegate to any committee of outsiders any of these powers. But, Sir, my most serious objection is to this new amendment of the hon. the Minister which empowers delegation to a committee of outsiders appointed according to the statutes. It means that the body to whom the Syndicate may delegate the power may not only delegate it to a sub-committee of its own but may delegate it to outsiders altogether. In order to test the validity of a law, we must take extreme cases. It is not an unfair test, it is a perfectly valid test. It may therefore be that the Syndicate may delegate all these powers to the hon. the Education Minister only. (An hon. Member:—'He won't be sorry.') I am sure he will be sorry before 24 hours are over. But my point is this. There has been no reason given why this wide power of delegation given to an outside

[Mr. S. Satyamurti]

[26th November 1928]

body altogether should be here. According to my amendment, the clause will run as follows: 'to delegate any of its powers to a committee from among its own members.' Will not that meet the situation? Any further authorization will be dangerous and is certainly unnecessary to the best of my knowledge and experience and is liable to be abused. I do not think there is any case made out for this wide delegation of powers to the Vice-Chancellor on the one hand making him an autocrat or to outsiders on the other, that is, to members outside the Syndicate which will not work towards the harmonious or efficient discharge of these functions of the Syndicate. We, the Legislative Council, are giving wide and responsible powers to the Syndicate. The Syndicate consists of elected members responsible to the Senate and Academic Council, whereas the Vice-Chancellor, although elected in the first instance, is appointed by the Chancellor. But according to this Bill there may be committees of outsiders who are not elected by the Senate or the Academic Council and who owe no responsibility to that body. If such outside bodies are to exercise the powers vested by this Council in the Senate and Syndicate, I doubt very much whether it would conduce to efficiency. At any rate, I am convinced no reason has been given why there should be such a wide delegation of power. I therefore beg to move the amendment of which I have given notice."

Mr. J. A. Saldanha seconded the amendment

The hon. Dr. P. SUBBARAYAN:—"Mr. President, Mr. Corley will deal with the question of committees composed of members from outside. I only want to deal with the question of the Vice-Chancellor. Why the Vice-Chancellor was put in by the Select Committee was that such petty powers as the appointment of the members of the subordinate clerical staff or of the menial staff of the office may well be delegated to the Vice-Chancellor. The word 'any' does not mean that all the powers possessed by the Syndicate are easily to be delegated to the Vice-Chancellor. It is only for the speedy transaction of business that this delegation is intended.

"You would have seen from the Annamalai University Act that we had a particular provision there giving the Vice-Chancellor power to appoint and deal with the menial staff of the office. There is no such provision in this Act. So, this amendment only gives power to the Syndicate to delegate any power it likes to the Vice-Chancellor. I do not think that a Syndicate composed of members like my hon. Friend here who seems to be zealous of the powers he possesses and does not want to delegate any of them, will be ready to hand all its powers to the Vice-Chancellor, especially if the spirit that prevails among the members is of the kind that my hon. Friend possesses. So, I do not think there is any danger of wide powers being delegated to a committee outside the Syndicate or the Vice-Chancellor himself, by the Syndicate. This clause as has been drafted only gives permission to the Syndicate to delegate any of its powers if it chooses. I do not think there is any harm in retaining the clause, and I do not think the danger that my hon. Friend envisages will really occur."

Mr. F. E. CORLEY:—"Mr. President, I should like to say a few words on this question. The Member for the University has really introduced a considerable element of unreality in this discussion. Is it really conceivable that the Syndicate, if it be given this power, will proceed to delegate all the important powers to the Vice-Chancellor or to a committee consisting of

26th November 1928]

[Mr. F. E. Corley]

outsiders? Now, if members of the Council will note it, most of the members of the Syndicate are businessmen and at the same time we may take it from the fact that they are mostly elected by bodies who will be very cautious in their selection, that these men are very capable men and men of character. If you want the work to be done well and speedily by anybody of persons you must allow them a certain amount of discretion. I think the Syndicate is composed of men who may be believed to exercise a wise discretion in the use of its power of delegation. If you allow no power of delegation at all, the Syndicate will simply be stultifying itself. Under clause (t) of this section, the Syndicate will be responsible for the management of the increasing number of University institutions. Now, Sir, the Syndicate has to manage the University library, the department of Indian history, Indian economics, the Oriental Institute, the two scientific institutes which are already in existence and the other institute, which will come into existence, University Publication Bureau, etc. Even if the Syndicate were enlarged, I think the members composing it will not be able to do justice to all the work entrusted to them. They are not full-time members; some of them are busy lawyers and have other calls on their time. So it is quite evident that they could not give the time necessary for the purpose; and further, Sir, I doubt whether the 19 or 22 members of the Syndicate could be expected to command that wide range of specialized knowledge which will be necessary for the management of those various institutions. I hope, Sir, that the House will not be so suspicious of the possible future Syndicate as to restrict altogether the power of delegation in the way suggested; I hope that it will look to the magnitude of the work that the Syndicate has to discharge and have the clause as amended by the Minister passed, and reject the narrowing amendment which the University Member has put forward."

* MR. T. C. SRINIVASA AYYANGAR :—" Mr. President, Sir, if the Syndicate is to be vested with the power of delegating any or all of its functions not only to a body composed of members of the Syndicate but also to a body composed partly of members, and partly of outsiders, there will be not only confusion created, but the whole Act would become an unreality. The Opposition is not introducing any element of unreality; but to enable the Syndicate to delegate powers to a stranger or an outside body would reduce the whole Act to a nullity. Professor Carley trusts that nothing will be lost, as the Syndicate would not abuse the power of delegation. If they are a law unto themselves, why then should we pass a law at all. For these reasons, I oppose the amendment of the hon. the Minister."

* The hon. the PRESIDENT :—" I think it is better to put this amendment of Mr. Satyamurti in two parts.

"The question is, in the amendment of the Chief Minister 'to omit the words "to the vice-chancellor."'"

The amendment was put and lost.

The hon. the PRESIDENT :—" Then the question is, in the amendment of the Chief Minister 'to omit the words "or to a committee appointed in accordance with the statutes."'"

The amendment was put and declared lost.

[26th November 1923]

Mr. S. Satyamurti demanded a poll, and the House divided thus :

Ayes.

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|------------------------------------|-------------------------------------|
| 1. Mr. Sami Venkatachalam Chetti. | 15. Mr. C. Ramasomayajulu. |
| 2. „ S. Satyamurti. | 16. „ Basheer Ahmad Sayeed. |
| 3. „ C. V. Venkataramana Ayyangar. | 17. „ P. Bhaktavatsulu Nayudu. |
| 4. „ P. C. Venkatapati Raju. | 18. „ A. Kaleswara Rao. |
| 5. „ J. A. Saldanha. | 19. „ K. Koti Reddi. |
| 6. „ Abdul Hamid Khan. | 20. „ L. K. Tulasiram. |
| 7. „ C. S. Govindaraja Mudaliyar. | 21. „ K. Madhavan Nayar. |
| 8. „ G. Harisavottama Rao. | 22. „ A. Ranganatha Mudaliyar. |
| 9. „ C. N. Muthuranga Mudaliyar. | 23. Diwan Bahadur R. N. Arogyaswami |
| 10. „ K. V. R. Swami. | Mudaliyar. |
| 11. „ K. R. Karant. | 24. Mr. T. C. Srinivasa Ayyangar. |
| 12. „ M. Narayana Rao. | 25. „ K. R. Venkatarama Ayyar. |
| 13. „ C. Obi Reddi. | 26. „ K. P. Raman Menon. |
| 14. „ A. Parasurama Rao. | 27. Rao Bahadur Sir A. P. Patro. |

Noes.

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|---|---|
| 1. The hon. Sir Norman Marjoribanks. | 21. Mr. J. Bheemayya. |
| 2. „ Khan Bahadur Sir Muhammad | 22. „ J. A. Davis. |
| Usman Sahib Bahadur. | 23. Mahmud Shammad Sahib Bahadur. |
| 3. „ Mr. T. E. Moir. | 24. Mr. W. E. Smith. |
| 4. „ Diwan Bahadur M. Krishnan | 25. Sabadar-Major Nanjappa Bahadur. |
| Nayar. | 26. Mr. T. M. Narayanaswami Pillai. |
| 5. „ Mr. M. R. Seturatnam Ayyar. | 27. „ K. Krishnan. |
| 6. „ S. Muthiah Mudaliyar. | 28. „ N. Siva Raj. |
| 7. „ Dr. P. Subbarayan. | 29. „ M. V. Gangadhara Siva. |
| 8. Rao Bahadur C. V. Anantakrishna Ayyar. | 30. „ V. I. Maniswami Pillai. |
| 9. Khan Bahadur Muhammad Bazl-ul-lah | 31. „ W. P. A. Soundarapandia Nadar. |
| Sahib Bahadur. | 32. „ S. Venkiah. |
| 10. Mr. H. A. Watson. | 33. The Zamindar of Singampatti. |
| 11. „ C. A. Souter. | 34. Rao Sahib R. Srinivasan. |
| 12. „ S. H. Slater. | 35. Mr. K. Kay. |
| 13. „ A. McG. C. Tampoe. | 36. „ R. J. C. Robertson. |
| 14. „ C. W. E. Cotton. | 37. Rajkumar S. N. Dorai Raja. |
| 15. „ V. Ch. John. | 38. Mr. S. Arpudaswami Udayar. |
| 16. „ M. A. Manikkavelu Nayakar. | 39. Khan Bahadur P. Khalif-ul-lah Sahib |
| 17. Syed Tajuddin Sahib Bahadur. | Bahadur. |
| 18. Mr. F. E. Corley. | 40. Mr. G. R. Premayya. |
| 19. „ H. B. Ari Gowder. | 41. „ V. Ramjee Rao. |
| 20. „ A. B. Shetty. | 42. „ R. Foulkes. |

Ayes 27. Noes 42.

Mr. Satyamurti's amendment was lost.

The amendment of the hon. the Chief Minister was then put and carried.

Clause 20 as amended was put, passed, and added to the Bill.

Clause 21 was put, passed, and added to the Bill.

Clause 22.

* Mr. J. A. SALDANHA :—" I move—

'in item (4) under class II omit the word "constituent".'

"Sir, my object in moving this amendment is that the constituent colleges in the City and the affiliated colleges in the mufassal should be in a position of equality so far as representation is concerned. 'I cannot see any reason why constituent colleges should have two teachers to represent them and so

26th November 1928]

[Mr. J. A. Saldanha]

have a preponderance of vote while the affiliated colleges have only one representative. I may point out that it is not always easy for the teachers or principals of the mufassal colleges to come to Madras. What happens is the representatives of the colleges at the headquarters in Madras can always be present at the meetings and to some extent preponderate in the voting. Hence my amendment." "All the colleges, first-grade colleges, both within the city and outside, should be placed on a par. The next amendment is that of Mr. S. Satyamurti to the effect that instead of one teacher there should be two teachers. My amendment also would in effect be the same. What I propose is that item (5) be omitted and that in item (4) the word 'constituent' be omitted. If my amendment is accepted, it will place both the constituent and affiliated colleges on a par."

4-45
p.m.

Mr. P. C. VENKATAPATHI RAJU :—" I second the amendment."

The hon. Dr. P. SUBBARAYAN :—" Mr. President, I have no objection to accept this amendment especially as the mufassal colleges seem to be rather apprehensive of what might happen if the constituent colleges got more representation. Really speaking they need not have any such apprehension. The constituent colleges are few in number and the affiliated colleges are very large and even if you consider the number of representatives of affiliated colleges on the Academic Council, they have very large representation as compared to the constituent colleges. However, as the mufassal people seem to be apprehensive of the danger that might occur if they are not represented as much as the constituent colleges, I have no objection to accept the amendment."

The amendment was put and carried.

* Mr. J. A. SALDANHA :—" I move--

'that item (5) be omitted.'

"This is only a consequential amendment."

Mr. P. C. VENKATAPATHI RAJU :—" I second it."

The hon. Dr. P. SUBBARAYAN :—" I have no objection to accept this amendment. The rest of the items have to be re-numbered."

* Mr. J. A. SALDANHA :—" I am agreeable to it as a matter of course."

* The hon. the PRESIDENT :—" There is no such amendment."

The amendment was put and carried.

Sub-clause (ii)—First proviso.

* Mr. K. R. VENKATARAMA AYYAR :—" I move—

'that after the word " unless " the word " meanwhile " be inserted.'"

* Mr. K. P. RAMAN MENON :—" I second it."

The hon. Dr. P. SUBBARAYAN :—" I accept the amendment."

The amendment was put and carried.

* Mr. C. V. VENKATARAMANA AYYANGAR :—" Sir, I move to add the following at the end :—

'or if he goes on leave for a period of not less than six months.'

[Mr. C. V. Venkataramana Ayyangar] [26th November 1928]

"Sir, this refers to the Academic Council. It is very important that this should be accepted. In the Annamalai University Bill passed only recently, on the motion of the hon. the Chief Minister there are these words: 'or if he goes on leave for a period of not less than six months.' I do not know why the hon. Minister does not on this occasion want to have the words which he wanted then. There was a specific case which justified the need for those words on that occasion. A member of the Agricultural College, Coimbatore, who was a member of the Academic Council, went on leave for about 2½ years. The hon. Minister said: 'What does it matter? He may be at Timbuctoo or anywhere in the Himalayas and yet may represent the college on the Academic Council.' The object of having a representative of a particular institution on a higher body is to voice the feelings of that particular institution. That being so, if he is absent from that higher body for a long period and lives anywhere he chooses, it is absurd to expect him to represent that particular institution which sent him. It was on that very wise principle that the Government and the hon. Minister agreed to have that amendment in the Annamalai University Bill. I certainly expect the Minister to give some reason why he is against this amendment now. A gentleman from Punjab may be a member of a particular college as in the case of the Coimbatore Agricultural College. That he should be expected to represent that body although he is living in Punjab, seems to be a little unreasonable, and therefore, apart from other considerations, to have a little consistency and not to give room for such difficulties, I think it is better to have this amendment passed."

Mr. P. C. VENKATAPATI RAJU :—"I second the amendment."

The hon. Dr. P. SUBBARAYAN :—"I am afraid my hon. Friend is always throwing the Annamalai University Bill at my face. But the consideration that applied to that Bill does not apply to this, for the simple reason that the Madras University is an affiliating university having colleges all over the Presidency. That is not the case with a residential and teaching university. And the fact that a person may be useful on any of the bodies of the university especially when it has got affiliating functions extending over such a large territory as the Madras University, of course makes the consideration entirely different and that is the reason why I have taken a different attitude on the question here from the attitude I took in connexion with the Annamalai University Bill. The reason which I then mentioned with regard to the member being absent for six months from the Syndicate holds good here also and as such, there is no necessity to accept the amendment of Mr. C. V. Venkataramana Ayyangar."

The amendment was put and lost.

* Mr. K. R. VENKATARAMA AYYAR :—"I move—

'in line 1 of Sub-clause (iii), for the words "On ceasing" substitute the words "When a person ceases".'"

Mr. K. P. RAMAN MENON :—"I second it."

The hon. Dr. P. SUBBARAYAN :—"I have no objection to accept it."

The amendment was put and carried.

26th November 1928]

* The hon. the PRESIDENT :—" Clause 22 as amended is now for the consideration of the House."

The hon. Dr. P. SUBBARAYAN :—" Sir, before you put clause 22 to the vote of the House, I should like to move for adjournment of the consideration of it. Otherwise there will be this anomaly of sub-section (6) coming after sub-section (4). Section 5 having been omitted, we will have section 6. Unless we have time to move consequential amendments at the next stage, it will be rather inartistic."

The hon. the PRESIDENT :—" Is the hon. Member quite sure that it will not be objected to at the third reading?"

"The question is to postpone consideration of this clause."

The motion was put and carried and further consideration of clause 22 was postponed."

Clause 23.

Item (c).

The hon. Dr. P. SUBBARAYAN :—" I move—

'in line 3, for the word 'lecturerships' substitute the word 'lectureships'."

"This is a consequential amendment."

The hon. Mr. M. R. SETURATNAM AYYAR :—" I second the amendment."

The amendment was put and carried.

Item (g).

* Mr. C. GOPALA MENON :—" Sir, I move—

'after the word "Engineering" insert the word "Technology".'

"This is intended to give power to the Academic Council to constitute a faculty of engineering when the time comes. It is only a provision for a future eventuality. It is a harmless amendment and I hope the House will accept it."

* Mr. K. R. VENKATARAMA AYYAR :—" I second it."

The hon. Dr. P. SUBBARAYAN :—" I have no objection to accept the amendment."

The amendment was put and carried.

Item (j).

* Mr. K. R. VENKATARAMA AYYAR :—" Sir, I beg to move—

'in line 3 for the words "engaged thereon" substitute the words "engaged therein".'"

Mr. K. P. RAMAN MENON :—" I second the amendment."

The hon. Dr. P. SUBBARAYAN :—" I have no objection to accept this amendment. I must really thank my hon. Friend from Madura for the large number of verbal amendments."

* The hon. the PRESIDENT :—" The hon. Minister may reserve those thanks for the third reading."

The amendment was put and carried.

Clause 23, as amended, was then put and carried.

[26th November 1928]

Clause 24.

* Mr. J. A. SALDANHA :—"Sir, my amendment reads: 'In line 5, after the word 'arts' insert the words 'comparative religion, veterinary science and technology'. There are three items in the amendment and each one of them requires separate consideration. I shall move, with your permission, these three subjects, one by one.'"

* The hon. the PRESIDENT :—"The hon. Member has not placed his request in my hands."

* Mr. J. A. SALDANHA :—"Therefore I shall take them all together. (Laughter.) Comparative religion is an important subject studied in several European universities. It is but fair that that subject should be taught in India. It is not in every country that comparative religion should be studied with such assiduity as in India. We have religions from the highest to the lowest, from the primitive religions to the highest type of religions. Here is a wide field for studying comparative religion. This is a subject that conduces to harmony among our people. A scientific study of different religions would bring about unity and goodwill among the people professing different religions and would conduce to the better understanding of the different points of view of the different religions. In India it is very important that we should understand one another's point of view."

The hon. the PRESIDENT :—"The hon. Member will continue his speech on the next occasion."

The Council will now adjourn and re-assemble to-morrow at 11 o'clock.

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS